

Mr. LEWIS. Mr. President, I appreciate the suggestion. I thought I should be able to harmonize difficulties to the extent of getting a recess agreed to, so that Senators could get their dinners, if the able chairman of the committee should find it agreeable.

The PRESIDING OFFICER. The Chair is open to a proposition of that kind.

Mr. SMOOT. I should like to have the Senator from New Jersey answer my question, at least, before we vote upon this item. The Senator may have made that statement before; but I was down at lunch for a few moments, and I suppose he made that statement when I was out.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Jersey?

Mr. SMOOT. Yes; I yield to the Senator for that purpose.

Mr. FRELINGHUYSEN. Mr. President, I think the Senator was out of the Chamber when I explained this amendment. It contemplates dredging a bar at the mouth of Hackensack River, which is tributary to the Kill van Kull and the Newark Channel. The Federal Shipbuilding Co. is located above this sand bar, and there are being built there for the United States Government 30 vessels of approximately 6,000 tons each. Now, it is found that in order to float those hulls over this bar, in order to get the coal for that shipbuilding plant, and in order to get the coal for the public-service corporation, and the various other industries along the line of the Hackensack River, carrying a tonnage amounting in value, I think, to some three and a half million dollars a year, this project is absolutely necessary; and it was approved by Mr. Sweet, the Assistant Secretary of Commerce.

Mr. SMOOT. Let me ask the Senator if this is a temporary shipyard or a permanent shipyard?

Mr. FRELINGHUYSEN. It is a permanent shipyard; it is a Government shipyard; and not only that, but there are other shipyards and other projects along the bank of that river. Not only that, but the Hackensack River is practically tributary to the Kill Van Kull; and the Senator, with his vast experience in these measures, having studied them year after year and knowing them, knows that the Kill Van Kull is one of the very important highways for water-borne traffic along the New Jersey coast. The Hackensack and Passaic Rivers, fed by the industries of Newark and Passaic and Paterson, make this one of the most important waterways in my State.

Mr. SMOOT. I will say that I never yet have objected on the floor of the Senate to an appropriation that would in any way increase the commerce of this country, and that is my position now. If there is an appropriation, no matter whether it has been acted upon by the House or by the Senate, as to which it is shown that the expenditure of the money will return to the district through which the river runs sufficient compensation by increase of commerce, no one in the Senate will vote money for that purpose any quicker than I will. I understood, however, that this appropriation was refused by the House; and, being refused, I thought it ought to be discussed in the Senate now.

Mr. RANDELL. Mr. President, I should like to say to the Senator, if he will permit me, that the chairman of the Rivers and Harbors Committee of the House was before us, and told us that if we took on any new projects at all, of all that the House rejected the Hackensack River was the best. He made that statement to us.

Mr. SMOOT. Then I have no objection to that amendment being agreed to.

The PRESIDING OFFICER. The question is upon agreeing to the amendment of the committee on page 5.

The amendment was agreed to.

The SECRETARY. The next amendment—

Mr. JONES of Washington. Mr. President, I understood—

Mr. FLETCHER. I am going to ask for a recess, but let us finish this page.

Mr. SMOOT. I want the next item to go over. That is the Delaware River, Pa., N. J., and Del. I recognize the fact that that is reduced by the committee from \$2,500,000 to \$1,000,000, but upon reading the report I feel that I want a little more information. I will say to the Senator that it will not take long, so far as I am concerned.

Mr. FLETCHER. Very well, then, Mr. President. I will not ask the Senate to stay in session longer to-night. We have spent the whole day and have gotten through with nearly five pages of the bill, but we have made some progress.

Mr. SMOOT. In justification of the Senator from Illinois, I want to say that when the Russian question was up for discussion yesterday, when 2 o'clock came, and the unfinished business was put before the Senate, the Senator wanted to follow immediately at that time with the speech that he made to-day. The

Senator from North Carolina [Mr. SIMMONS], having the unfinished business in charge, told me that he was not feeling well; that he was a sick man; that he wanted the report to be agreed to; and that the Senator from Illinois could make his speech upon the river and harbor bill, and that it would make no difference; and he asked me to see the Senator from Illinois and find out if he would not consent to do that. Upon that request I spoke to the Senator from Illinois, and he did not make his speech then; and the reason why it was made to-day was because it was distinctly understood yesterday that it could be made to-day.

Mr. LEWIS. The Senator from Utah means the junior Senator from Illinois, Mr. SHERMAN?

Mr. SMOOT. Yes; I should have said the junior Senator from Illinois.

Mr. FLETCHER. In answer to what the Senator says, I will say that if we have much further trouble with this bill I think I will get sick, and see if I can not secure the passage of the bill by that means. [Laughter.]

Mr. JONES of Washington. Mr. President, I want to suggest that there are not more than 15 Senators on the floor now.

RECESS.

Mr. FLETCHER. I move that the Senate take a recess until to-morrow morning at 11 o'clock.

The motion was agreed to; and (at 6 o'clock and 55 minutes p. m.) the Senate took a recess until to-morrow, Saturday, February 15, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, February 14, 1919.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Conden, D. D., offered the following prayer:

Our Father who art in heaven, we thank Thee for all the great, the generous, the pure, the noble, whose lives were for the uplift of humanity.

May we emulate their example, that the world may be a little better that we have lived and wrought; and Thine be the praise through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

PENSIONS.

Mr. TILLMAN. Mr. Speaker, this is pension day in the House, but I have no thought of asking to displace the supply bill now before this body; but I do ask unanimous consent that at the conclusion of debate on the Army bill this evening that we have 10 minutes to take up a pension bill.

The SPEAKER. Does the gentleman think that the Committee of the Whole is going to get through with the Army bill to-day?

Mr. TILLMAN. I ask this if they do. If not, I shall not ask it.

The SPEAKER. How many of these pension bills has the gentleman?

Mr. TILLMAN. We have only one; a very short one.

Mr. STAFFORD. The gentleman can make that request this evening. The House may run late.

Mr. TILLMAN. This is pension day in the House, and I ask to be allowed 10 minutes at the conclusion of the consideration of the Army bill—

Mr. FOSTER. Take it up now.

Mr. TILLMAN. Well, I ask unanimous consent to take it up now.

Mr. MANN. Will there be any debate on it?

Mr. TILLMAN. No; I think not.

Mr. MANN. Why not make the request to take it up now?

PRINTING COPIES OF REVENUE ACT.

Mr. KITCHIN. If the gentleman will permit, Mr. Speaker, day before yesterday I got unanimous consent of the House to print 14,000 copies in document form of the bill as reported by the conference committee, the revenue bill. I had the impression then that the Senate had passed the bill. Yesterday morning I found that they had not passed it, and by unanimous consent that order was rescinded, but I understand in the meantime before the order was rescinded they executed the order for printing at the Government Printing Office and already had printed the bill. So I ask unanimous consent that 15,000 copies of the bill reported by the conference committee be printed, 7,500 to go to the document room and 7,500 copies to the folding room. The first order was for 14,000.

Mr. MANN. This is within the limit that the House can print at a cost of not more than \$500?

Mr. KITCHIN. It is. The first number was 14,000.

Mr. STAFFORD. Why not make it 8,000 for the folding room?

Mr. KITCHIN. It is already put in.

Mr. STAFFORD. Seven thousand only, I thought, had been placed at the disposal of the document room.

Mr. KITCHIN. No; half has been placed at the disposal of the document room and half at the disposal of the folding room.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to have 15,000 copies of the conference report on the revenue bill printed, 7,500 for the folding room and 7,500 for the document room. Is there objection? [After a pause.] The Chair hears none.

CORRECTION IN A REFERENCE.

Mr. TAYLOR of Colorado. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Colorado rise?

Mr. TAYLOR of Colorado. To correct the record and ask for a change of reference of a bill.

The SPEAKER. Correct the record first. Take one thing at a time.

Mr. TAYLOR of Colorado. Mr. Speaker, I filed a report yesterday from the Committee on the Irrigation of Arid Lands on a departmental bill (H. R. 4187) authorizing the Secretary of the Interior to convey to a man named Hiersche about 90 acres of land in exchange for some land he owns. It is a matter which I think ought to go on the Union Calendar, but it was referred to the Private Calendar, and I ask to have it transferred.

The SPEAKER. What is it about?

Mr. TAYLOR of Colorado. There is a man named Anton Hiersche who owns about 40 acres of land that the Reclamation Service wants for a part of the reservoir site of the North Platte irrigation project in Nebraska. The Interior Department does not want to incur the expense of condemning this land, but wants to exchange another piece of vacant land for it, and Hiersche is willing to make the exchange. This bill authorizes the Secretary of the Interior to issue a patent to a definitely described tract of land to Hiersche in consideration of Hiersche deeding to the United States Government the land that is needed for this reservoir, No. 2 of that project.

Mr. STAFFORD. That is a private bill.

Mr. TAYLOR of Colorado. No; I do not think so. This is not a private relief bill. Mr. Hiersche is not asking for anything. He owns the land that one of the Government's reservoirs is now situated upon. The Reclamation Service wants to flood that land, and the Interior Department wants by mutual consent to convey to him about 90 acres of public domain for his about 40 acres within the reservoir site. Now, it seems to me that is a bill of a public character directly appropriating public property belonging to the United States under Rule XIII of the rules of the House, section 720.

Mr. STAFFORD. There are plenty of bills on the Private Calendar providing for transfer to separate individuals. They are private bills, not public.

Mr. TAYLOR of Colorado. I beg to differ with the gentleman. My impression is that whenever a tract of public land—whether it is 90 acres or 90,000 acres—is to be conveyed by patent by act of Congress directing the Secretary of the Interior to issue a patent to somebody for the land, it makes no difference whether the Government gets money or other land or something else or nothing in exchange for it, my impression is that is an appropriation of public property and should be put upon and considered on the Union Calendar. That is the way I understand the rule, and it seems to be supported by section 3115 of volume 4 of Hinds' Precedents.

Mr. STAFFORD. There is a statute which describes private bills which was called to the attention of the House by myself some weeks ago, and I ask the gentleman to withdraw the request until I can give that authority.

Mr. TAYLOR of Colorado. I will withdraw the request temporarily, but it is a departmental measure that is very plain and simple and ought to be passed at this session.

Mr. STAFFORD. That does not make it a public bill.

Mr. TAYLOR of Colorado. Secretary Lane's letter transmitting a draft of the bill to me explains the situation and the importance of the bill as follows:

DEPARTMENT OF THE INTERIOR,
Washington, May 2, 1917.

MY DEAR MR. TAYLOR: During the last session of Congress I requested Hon. W. R. SMITH, the former chairman of the Committee on Irrigation of Arid Lands, to introduce a bill authorizing Anton Hiersche to select other land in lieu of lands now owned by him and required for reclamation purposes in connection with the North Platte project—Nebraska.

The bill was introduced and became H. R. 17743. I am now advised by the Reclamation Service that the bill as then presented was not in strict accordance with conditions involved. I am therefore submitting another draft with the request that you introduce the same. Mr. Hiersche has agreed to the plan proposed by the bill.

Mr. Hiersche gives up his title to a tract of about 25 acres below the 6-foot contour now flooded and gives the United States a right to flood about 32 acres additional below the 11-foot contour to which 32 acres Mr. Hiersche retains title. In lieu thereof he is to be allowed 90 acres, of which about 67 acres will eventually be irrigable under the project.

While Mr. Hiersche is allowed to take a larger area than he gives up, there is practically no discrepancy in value, because a considerable part of the land taken is very apt to become seeped or partly so whenever irrigation is practiced on the adjoining ground. Besides, the agricultural quality of the land given up is better than the land to be taken, and there is a corresponding difference in market value.

I would therefore be pleased to have you introduce this bill in lieu of the other, as it will doubtless save the project a very large amount, because if it were necessary to purchase the lands and flowage rights from Mr. Hiersche a considerable cash outlay would be required.

Cordially, yours,

FRANKLIN K. LANE,

Secretary.

Hon. EDWARD T. TAYLOR,

Chairman Committee on Irrigation of Arid Lands,

House of Representatives.

I have not the slightest personal interest in the bill. I am merely trying to handle it at the request of the Secretary of the Interior and the Reclamation Service. It is a Nebraska matter, and I feel that the bill should be placed where I think it belongs, on the Union Calendar, where it can be disposed of at this session of Congress, and not on the Private Calendar, where it will be chloroformed forever. However, I will withdraw the request for the present and confer with the gentleman and the House parliamentarian.

The SPEAKER. What is the other part that the gentleman wants?

Mr. TAYLOR of Colorado. My other request is to correct an error in printing. The bill in the report is given as H. R. 187 instead of H. R. 4187. Moreover, the report shows that it is referred to the Committee of the Whole House, while the CONGRESSIONAL RECORD of yesterday, page 3457, shows it on the Private Calendar.

The SPEAKER. In the RECORD?

Mr. TAYLOR of Colorado. It is an error in printing the report. The RECORD is correct.

The SPEAKER. Without objection, the correction will be made.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3123. An act for the relief of the owners of the schooner *Henry O. Barrett*;

S. 2902. An act for the relief of the owner of the steamer *Mayflower* and for the relief of passengers on board said steamer;

S. 2124. An act to fix the salary of the United States district attorney for the eastern district of New York; and

S. 5471. An act for the relief of John A. Gauley.

The message also announced that the Senate had passed without amendment the bill (H. R. 8625) to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay Wagon Road grant, to provide for the disposition of said lands, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2902. An act for the relief of the owner of the steamer *Mayflower* and for the relief of passengers on board said steamer;

S. 5471. An act for the relief of John A. Gauley; and

S. 3123. An act for the relief of the owners of the schooner *Henry O. Barrett*; to the Committee on Claims.

S. 2124. An act to fix the salary of the United States attorney for the eastern district of New York; to the Committee on Expenditures in the Department of Justice.

EXTENSION OF REMARKS.

Mr. LONDON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of my work in Congress.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD on the subject of his work in Congress. Is there objection? [After a pause.] The Chair hears none.

SPEAKERS PRO TEMPORE FOR SUNDAY, FEBRUARY 16.

The SPEAKER. On next Sunday there will be held memorial exercises for gentlemen from Wisconsin, Virginia, Maryland, and Pennsylvania. The Chair usually appoints the senior Member of a delegation to preside. In this case the Chair will appoint Mr. BUTLER, of Pennsylvania, to preside, and request him that when Wisconsin is reached that Mr. COOPER of Wisconsin shall be called to preside, when Virginia is reached that Mr. FLOOD shall be called, and when Maryland is reached Mr. LINTHICUM.

PENSIONS.

Mr. TILLMAN. Mr. Speaker, I desire to call up the bill H. R. 15706, the pension bill, and ask that the same be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman asks unanimous consent to call up the bill H. R. 15706, and that it be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

Mr. TILLMAN. Mr. Speaker, I move that the first reading of the bill be dispensed with.

The SPEAKER. The gentleman moves that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 15706) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and the widows of such soldiers and sailors.

The SPEAKER. The Clerk will read the bill for amendment.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Charles A. Wilkerson, late of Company E, Fiftieth Regiment Iowa Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of George C. Williams, late of Company A, Thirty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Frank A. James, late of Company F, Sixth Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month.

The name of Dillard Pilman, late of Company C, Twenty-sixth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Edward A. Ward, late of Company F, Twenty-fourth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Herman Platz, late of Company H, Third Regiment Volunteer Engineers, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Charles N. Benson, late of Company F, One hundred and fifty-eighth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Noah Collins, late of Company I, Second Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Michael S. Kane, late of Battery A, First Battalion Maine Volunteer Heavy Artillery, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of John H. Caldwell, late of Company K, Twenty-second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of James P. Kennedy, late of Company M, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Taylor Hubbard, late of Company I, Eighth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Jacob C. Wright, late of Company C, Fourth Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Charles H. Jackson, late of Company M, First Regiment South Dakota Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Floyd L. Green, late of Company K, Thirty-fifth Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of James E. Kennedy, late of Company C, Thirty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Sylvester P. Martin, late of Company K, Fifth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of John J. Camac, late of Company H, Fourth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Phoebe J. Lincoln, former widow of Matthew Carlos, late of Company B, Twenty-first Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of Howard L. Burnett, late of Troop L, Fourth United States Cavalry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Rufus Adamson, late of Troop M, Sixth United States Cavalry, War with Spain, and pay him a pension at the rate of \$24 per month.

The name of Oliver Freeman, late of Company E, Fourth Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Grover Colter, late of Company G, Fourteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Albert W. Ankney, late of Companies B and G, Eighth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of George Hall, late of Company H, Second Battalion Engineers, United States Army, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of James Lee, late of Company D, Twenty-fourth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of William H. Hill, late of Troop K, Eighth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Orville H. Mills, late of Company B, Thirty-third Regiment United States Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of James Lynch, late of the United States Marine Corps, United States Navy, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John W. Smith, late of Company K, Ninth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of James M. Conner, late of Company A, First Regiment Nebraska Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of William S. Whitley, late of Company B, Tenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Charles H. Jessee, late of Company A, Fifth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Arthur D. Warden, late of Company M, Nineteenth Regiment United States Volunteer Infantry, and Quartermaster Corps, United States Army, Regular Establishment, and pay him a pension at the rate of \$17 per month.

The name of Carl N. Nelson, late of Company B, Thirty-third Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Jeremiah H. Worthley, late of Company L, Twenty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Silas Clyde Whitecomb, late of Company I, Fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of James W. Smith, late of Company B, Second Regiment Nebraska Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$30 per month.

The name of John F. Hazelrigg, late of Troop D, Fourth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Andrew J. Briggs, late of Company F, First Regiment Kentucky Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of John A. Falvey, late of Company L, Thirty-first Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Thomas J. Cook, dependent father of George C. Cook, deceased, late of Battery G, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Katherine Cotter, dependent mother of Thomas J. Cotter, late of Troop A, Sixth Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of William J. Walker, late of Hospital Corps, United States Army, and Company E, Second Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Marion Rosser, late of Company C, First Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Nels Christensen, late of Company C, First Battalion Wyoming Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Clark P. Hoskins, late of the Hospital Corps and Fifth Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of John J. Ludwig, late of Company L, Third Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of John F. Mossberg, late of Company D, Fifteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Herbert B. Holloway, late of Company H, Third Regiment Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Harold A. Salisbury, late of Capt. John L. Sperry's company, Umatilla Guards, Oregon State Militia, Bannock Indian War, and pay him a pension at the rate of \$20 per month.

The name of Wedding Colgate, late of Company C, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of George Plewacki, late of Company K, Twenty-third Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$24 per month.

The name of Charles E. Keck, late of the Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of \$40 per month.

The name of Isaac F. Lanham, late of Company I, Second Regiment West Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of George W. Burchard, late of Company B, Twenty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Edward Stephens, late of Company K, Nineteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of William T. Murphy, late of Company G, Thirtieth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$24 per month.

The name of Charles F. Gilroy, late of Company F, First Regiment Rhode Island Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of William Ellison, late of Company B, Ninth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Eli Guedonowicz, alias Eli Guedonowicz, late of Company L, Fifteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Robert Heukel, late of Company E, Fifth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of William F. Fogarty, late of the United States Marine Corps, United States Navy, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of James T. Breen, late of Troop I, Second Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$24 per month.

The name of Jacob Copeland, late of Company F, First Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Isaac J. Burk, late of Company E, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Jonathan F. Titus, jr., late of Battery F, Fifth United States Light Artillery, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Ellis O. Greely, late of Company H, Fourteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of George Casseboom, late of Company A, First Regiment California Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month.

The name of Henry Simpson, late of Company L, One hundred and fifty-eighth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of John Weiss, late of Hospital Corps, United States Army, Regular Establishment, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Walter W. Brunn, late of Company E, One hundred and sixtieth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Nicholas Vincent, late of Company E, First Regiment Montana Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of William D. Mickley, late major Fourth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Eleanora Sharpe, widow of Andrew Sharpe, late of Company E, Ninth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of \$12 per month.

The name of Louis E. Wiechman, late of Troop D, First Regiment United States Cavalry, and Ordnance Department United States Army, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Frederick W. Duden, late of Troop D, Third Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of McDonald Wells, late of Company M, Twenty-seventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of William E. Davis, late of Company D, Twenty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of John Maloy, late of Company E, Seventeenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Greer T. Neal, late of Company L, Eighth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of \$40 per month.

The name of Ellsworth G. Beers, late of the United States Navy, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Tony Verrosso, late of Company H, First Regiment Delaware Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of William V. Richardson, late of Company I, Forty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Michael Levi, late of Troop A, Fourth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of \$12 per month.

The name of Jobe C. Walton, late of Company I, Thirty-third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The name of Charles Michener, late of Battery F, First Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of George Polletti, late of Troop D, Seventh Regiment United States Cavalry, Regular Establishment, Indian wars, and pay him a pension at the rate of \$20 per month.

The name of Roscoe W. Barker, late of Company A, Hospital Corps, United States Army, Regular Establishment, and pay him a pension at the rate of \$12 per month.

The name of Frank J. Brolley, late of Company D, Second Regiment United States Volunteer Engineers, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James Grantham, late of Battery I, Third Regiment United States Artillery, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of General G. Burris, late of Company C, Forty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Loue Thompson, late of the United States Navy, War with Spain, and pay him a pension at the rate of \$17 per month.

The name of Irvn P. Cammarn, late of Company B, Second Regiment Ohio Volunteer Infantry and Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Christine Neubert, dependent mother of Herman Steinfurth, late of Company K, Second Regiment Wisconsin Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$12 per month.

The name of Eliza L. Ellis, helpless and dependent daughter of William West, late of Capt. M. Huntington's company, North Carolina Militia, War of 1812, and pay her a pension at the rate of \$12 per month.

The name of Fred E. Kies, late of Company G, Third Regiment Connecticut Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The name of Katharina Bamberg, widow of Nicholas Bamberg, late of Company G, Thirty-first Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of \$12 per month and \$2 per month additional on account of the minor child of the said Nicholas Bamberg until she reaches the age of 16 years.

The foregoing bill is a substitute for the following House bills referred to the Committee on Pensions:

H. R. 407. Charles A. Wilkerson.	H. R. 10490. Wedding Colgate.
H. R. 595. George C. Williams.	H. R. 10546. George Plowacki.
H. R. 610. Frank A. James.	H. R. 10684. Charles E. Keck.
H. R. 1138. Dillard Pliman.	H. R. 10809. Isaac F. Lanham.
H. R. 1579. Edward A. Ward.	H. R. 10951. George W. Burchard.
H. R. 1773. Herman Platz.	H. R. 11224. Edward Stephens.
H. R. 1815. Charles N. Benson.	H. R. 11286. William T. Murphy.
H. R. 1911. Noah Collins.	H. R. 11380. Charles F. Gilroy.
H. R. 1958. Michael S. Kane.	H. R. 11469. William Ellison.
H. R. 3481. John H. Caldwell.	H. R. 11474. Eli Guedonowicz,
H. R. 4087. James P. Kennedy.	alias Eli Guedonowicz.
H. R. 4153. Taylor Hubbard.	H. R. 11509. Robert Heukel.
H. R. 4174. Jacob C. Wright.	H. R. 11821. William F. Fogarty.
H. R. 4221. Charles H. Jackson.	H. R. 11959. James T. Breen.
H. R. 4407. Floyd L. Green.	H. R. 12005. Jacob Copeland.
H. R. 4421. James E. Kennedy.	H. R. 12121. Isaac J. Burk.
H. R. 4544. Sylvester P. Martin.	H. R. 12181. Jonathan F. Titus, jr.
H. R. 4590. John J. Camac.	H. R. 12245. Ellis O. Greely.
H. R. 4708. Phoebe J. Lincoln.	H. R. 12291. George Casseboom.
H. R. 5038. Howard L. Burnett.	H. R. 12398. Henry Simpson.
H. R. 5041. Rufus Adamson.	H. R. 12475. John Weiss.
H. R. 6217. Oliver Freeman.	H. R. 12482. Walter W. Brunn.
H. R. 6393. Grover Colter.	H. R. 12494. Nicholas Vincent.
H. R. 6767. Albert W. Arkney.	H. R. 12500. William D. Mickley.
H. R. 7123. George Hall.	H. R. 12570. Eleanora Sharpe.
H. R. 7528. James Lee.	H. R. 12593. Louis E. Wiechman.
H. R. 7717. William H. Hill.	H. R. 12675. Frederick W. Duden.
H. R. 7954. Orville H. Mills.	H. R. 12678. McDonald Wells.
H. R. 8035. James Lynch.	H. R. 12689. William E. Davis.
H. R. 8122. John W. Smith.	H. R. 12745. John Maloy.
H. R. 8200. James M. Connor.	H. R. 12792. Greer T. Neal.
H. R. 8407. William S. Whitley.	H. R. 12828. Ellsworth G. Beers.
H. R. 8514. Charles H. Jessee.	H. R. 12993. Tony Verrosso.
H. R. 8603. Arthur D. Warden.	H. R. 13218. William V. Richardson.
H. R. 8741. Carl N. Nelson.	H. R. 13292. Michael Levi.
H. R. 8810. Jeremiah H. Worthley.	H. R. 13314. Jobe C. Walton.
H. R. 8842. Silas Clyde Whitcomb.	H. R. 13336. Charles Michener.
H. R. 8908. James W. Smith.	H. R. 13476. George Polletti.
H. R. 9025. John F. Hazelrigg.	H. R. 13489. Roscoe W. Barker.
H. R. 9040. Andrew J. Briggs.	H. R. 13490. Frank J. Brolley.
H. R. 9074. John A. Falvey.	H. R. 13668. James Grantham.
H. R. 9351. Thomas J. Cook.	H. R. 14211. General G. Burris.
H. R. 9398. Katherine Cotter.	H. R. 14744. Loue Thompson.
H. R. 9522. William J. Walker.	H. R. 14805. Irvn P. Cammarn.
H. R. 9651. Marion Rosser.	H. R. 14815. Christine Neubert.
H. R. 9740. Nels Christensen.	H. R. 15069. Mrs. E. L. Ellis.
H. R. 9986. Clark P. Hoskins.	H. R. 15070. Fred E. Kies.
H. R. 10016. John J. Ludwig.	H. R. 15680. Katharina Bamberg.
H. R. 10062. John F. Mossberg.	
H. R. 10328. Herbert B. Holloway.	
H. R. 10488. Harold A. Salisbury.	

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. TILMAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

VALIDATION OF CERTAIN WAR CONTRACTS—CONFERENCE REPORT (NO. 1057).

Mr. FIELDS. Mr. Speaker, I call up the conference report on the bill H. R. 13274, and ask unanimous consent that the statement be read in lieu of the report.

Mr. STAFFORD. Mr. Speaker, I think the report is more informing than the statement.

Mr. FIELDS. Very well.

The SPEAKER. The Clerk will read the report.

Mr. GARRETT of Texas. Mr. Speaker, this is a very important matter, and I make the point there is no quorum in the House.

The SPEAKER. The gentleman from Texas makes the point that there is no quorum present. The Chair will count. [After counting.] Evidently there is no quorum present.

Mr. DENT. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Almon	Drukker	Kennedy, R. I.	Sanders, Ind.
Anthony	Dupré	Kettner	Sanders, La.
Ashbrook	Eagan	Key, Ohio	Sanders, N. Y.
Barkley	Eagle	Kiess, Pa.	Saunders, Va.
Birch	Esch	Kinkaid	Schall
Bland, Ind.	Estopinal	LaGuardia	Scully
Booher	Farr	Langley	Sears
Borland	Ferris	Lobeck	Sells
Bowers	Fess	Longworth	Shackleford
Brumbaugh	Flynn	Lundeen	Shouse
Burnett	Fordney	McAndrews	Sims
Butler	Francis	McCormick	Smith, C. B.
Caldwell	Gandy	McLaughlin, Mich.	Smith, T. F.
Campbell, Pa.	Gillett	Maher	Snook
Cantrill	Godwin, N. C.	Miller, Minn.	Snyder
Caraway	Goodall	Montague	Steenerson
Carlin	Graham, Pa.	Moon	Stephens, Nebr.
Carter, Mass.	Gray, N. J.	Mudd	Strong
Chandler, N. Y.	Greene, Vt.	Neely	Sullivan
Cleary	Griest	Nichols, Mich.	Swift
Coady	Hamill	Norton	Tague
Costello	Hamilton, Mich.	O'Shaunessy	Taylor, Ark.
Cox	Hamilton, N. Y.	Padgett	Templeton
Curry, Cal.	Haskell	Park	Tinkham
Dallinger	Haugen	Parker, N. J.	Vare
Darrow	Hayes	Phelan	Venable
Davey	Heaton	Pou	Waldow
Davis	Heintz	Pratt	Walsh
Decker	Helm	Price	Walton
Delaney	Helvering	Rayburn	White, Ohio
Denison	Hensley	Reavis	Wilson, Ill.
Dewalt	Husted	Riordan	Winslow
Dill	Hutchinson	Roberts	Wood, Ind.
Dooling	Igoe	Rowland	Woods, Iowa
Doremus	Johnson, Ky.	Rubey	
Drane	Kelley, Mich.	Russell	

The SPEAKER. On this vote 286 Members—a quorum—answered to their names.

Mr. FOSTER. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Illinois moves to dispense with further proceedings under the call. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors, and the Clerk will report the conference report.

The Clerk read the conference report.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment, insert the following:

"That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis that has been entered into in good faith during the present emergency and prior to November 12, 1918, by any officer or agent acting under his authority, direction, or instruction, or that of the President, with any person, firm, or corporation for the acquisition of lands, or the use thereof, or for damages resulting from notice by the Government of its intention to acquire or use said lands, or for the production, manufacture, sale, acquisition, or control of equipment, materials, or supplies, or for services, or for facilities, or other purposes connected with the prosecution of the war, when such agreement has been performed in whole or in part, or expenditures have been made or obligations incurred upon the faith of the same by any such person, firm, or corporation prior to November 12, 1918, and such agreement has not been executed in the manner prescribed by law: *Provided*, That in no case shall any award either by the Secretary of War or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States and a reasonable remuneration for expenditures and obligations or liabilities necessarily incurred in performing or preparing to perform said contract or order: *Provided further*, That this act shall not authorize payment to be made of any claim not presented before June 30, 1919: *And provided further*, That the Secretary of War shall report to Congress at the beginning of its next session following June 30, 1919, a detailed statement showing the nature, terms, and conditions of every such agreement and the payment or adjustment thereof: *And provided further*, That no settlement of any claim arising under any such agreement shall bar the United States Government through any of its duly authorized agencies, or any committee of Congress hereafter duly ap-

pointed, from the right of review of such settlement, nor the right of recovery of any money paid by the Government to any party under any settlement entered into or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall exist against the executors, administrators, heirs, successors, and assigns, of any party or parties: *And provided further*, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statute of the United States for any fraud or criminal conduct: *And provided further*, That this act shall in no way relieve or excuse any officer or his agent from such criminal prosecution because of any irregularity or illegality in the manner of the execution of such agreement: *And provided further*, That in all proceedings hereunder witnesses may be compelled to attend, appear, and testify, and produce books, papers, and letters, or other documents; and the claim that any such testimony or evidence may tend to criminate the person giving the same shall not excuse such witness from testifying, but such evidence or testimony shall not be used against such person in the trial of any criminal proceeding.

"Sec. 2. That the Court of Claims is hereby given jurisdiction on petition of any individual, firm, company, or corporation referred to in section 1 hereof, to find and award fair and just compensation in the cases specified in said section in the event that such individual, firm, company, or corporation shall not be willing to accept the adjustment, payment, or compensation offered by the Secretary of War as hereinbefore provided, or in the event that the Secretary of War shall fail or refuse to offer a satisfactory adjustment, payment, or compensation as provided for in said section.

"Sec. 3. That the Secretary of War, through such agency as he may designate or establish is empowered, upon such terms as he or it may determine to be in the interest of the United States, to make equitable and fair adjustments and agreements, upon the termination or in settlement or readjustment of agreements or arrangements entered into with any foreign government or governments or nationals thereof, prior to November 12, 1918, for the furnishing to the American Expeditionary Forces or otherwise for war purposes of supplies, materials, facilities, services or the use of property, or for the furnishing of any thereof by the United States to any foreign government or governments, whether or not such agreements or arrangements have been entered into in accordance with applicable statutory provisions; and the other provisions of this act shall not be applicable to such adjustments.

"Sec. 4. That whenever, under the provisions of this act, the Secretary of War shall make an award to any prime contractor with respect to any portion of his contract which he shall have sublet to any other person, firm, or corporation who has in good faith made expenditures, incurred obligations, rendered service, or furnished material, equipment, or supplies to such prime contractor, with the knowledge and approval of any agent of the Secretary of War duly authorized thereunto, before payment of said award the Secretary of War shall require such prime contractor to present satisfactory evidence of having paid said subcontractor or of the consent of said subcontractor to look for his compensation to said prime contractor only; and in the case of the failure of said prime contractor to present such evidence or such consent, the Secretary of War shall pay directly to said subcontractor the amount found to be due under said award; and in case of the insolvency of any prime contractor the subcontractor of said prime contractor shall have a lien upon the funds arising from said award prior and superior to the lien of any general creditor of said prime contractor.

"Sec. 5. That the Secretary of the Interior be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis the amount or amounts of money heretofore invested or contracted to be invested and obligations incurred in good faith by any and all persons, firms, or corporations for producing or in good faith acquiring property for producing, within the United States, for the purpose of supplying the urgent needs of the Nation during the war, any ores or mineral substances mentioned and enumerated in the act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply;" approved October 5, 1918, the production of which was requested or demanded by the War Industries Board, the War Trade Board, the Shipping Board, the Emergency Fleet Corporation or the Department of the Interior and which has been performed in whole or in part by any such person, firm, or corpora-

tion prior to November 12, 1918; and that said Secretary ascertain, determine, adjust, liquidate, and, out of the moneys provided and appropriated by said act, pay to the parties justly entitled thereto the amounts of such losses and damages as he, the said Secretary shall find and determine to have been sustained by reason of having made said investments for said purposes, and that in each case he shall make such determination, provision, settlement, advancement, or final payment, or by agreement with claimants take such other action as he shall find and determine to be just and equitable; that the decision and action of said Secretary in each case shall be conclusive and final; that all payments shall be made, and all expenses incurred by the said Secretary shall be paid from the funds appropriated by the said act of October 5, 1918, and that said funds and appropriations shall continue to be available for said purposes until such time as the said Secretary shall have fully exercised the authority hereby granted and performed and completed the duties hereby provided and imposed: *Provided*, however, That said Secretary shall consider, approve, and dispose of only such claims as shall be made hereunder and filed with the Department of the Interior within three months from and after the approval of this act.

That a report of all operations under this section, including receipts and disbursements, shall be made to Congress on or before the first Monday in December of each year.

That nothing in this section shall be construed to confer jurisdiction upon any court to entertain a suit against the United States.

Amend the title so as to read: "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes."

And the Senate agree to the same.

W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

GEO. E. CHAMBERLAIN,
DUNCAN U. FLETCHER,
C. S. THOMAS,
F. E. WARREN,
Managers on the part of the Senate.

STATEMENT.

The conferees agreed upon the general language of the House bill, so far as section 1 is concerned, together with the provision adopted by the House requiring presentation of claims not later than June 30, 1919. The Secretary of War is required to report to Congress in detail a statement of the settlement made. No settlement shall bar the Government of the right of review and recovery for fraud, and no officer or agent of the Government shall be relieved of liability for fraud or criminal conduct. This section contains a provision that witnesses may be compelled to attend and testify.

Section 2 gives the Court of Claims jurisdiction in the event the settlement of the Secretary of War is not accepted.

Section 3 authorizes settlements with foreign Governments and their citizens upon the same terms and conditions as such Governments themselves settle their own contracts.

Section 4 authorizes the adjustment of the claims of subcontractors.

Section 5 provides for the settlement of mining contracts by the Secretary of the Interior.

W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

Mr. STAFFORD. Mr. Speaker, can some arrangement be made as to the time between those who favor and those who oppose the conference report?

Mr. FIELDS. Time will be given to those in opposition; and if I control the time on this side, I shall follow the policy of alternating between those opposed and those favoring, if that is desired, so that we can divide the time equally between the two sides.

Mr. STAFFORD. Will the opposition have half of the time with those who favor the report?

Mr. FIELDS. Yes.

Mr. CARTER of Oklahoma. Mr. Chairman, is a motion to recommit now in order?

The SPEAKER. No.

Mr. CARTER of Oklahoma. At the proper time I want to offer a motion to recommit if no one else does.

The SPEAKER. It would be in order to make the motion to recommit—

Mr. MANN. If you can get the floor.

The SPEAKER. Yes; if you can get the floor.

Mr. CARTER of Oklahoma. I would like to get the floor for that purpose.

Mr. STAFFORD. Can we not have an agreement as to the time before the discussion begins?

Mr. FIELDS. As to the control of the time or as to the length of time?

Mr. HAMLIN. Both.

Mr. FIELDS. This general proposition has been discussed in the House, and the particular item upon which the opposition here seems to be centered was discussed for over an hour, or an hour and a half, in the House.

Mr. GORDON. Yes; and the House rejected it 3 to 1.

Mr. FIELDS. Well, I differ with the gentleman.

Mr. GORDON. Well, it did.

Mr. FIELDS. I will say to the gentleman that the gentleman from California [Mr. KAHN] and myself both asked to be sent to the conference uninstructed and voted against the instructions of the conferees.

Mr. MADDEN. A man on the conference goes into the conference to represent the House which sends him.

Mr. HAMLIN. The vote which the gentleman from Ohio [Mr. GORDON] refers to was not on the question of instructing the conferees. It was on the question of concurring in the Senate amendment.

Mr. FIELDS. Mr. Speaker, I think an hour on each side would be sufficient.

Mr. GORDON. No; I would like to have a little time on this.

Mr. DENT. Mr. Speaker, I desire to suggest that the gentleman from Kentucky [Mr. FIELDS], who has charge of the conference report, may be allowed to proceed with the debate for an hour, and then there may be other gentlemen who wish to be heard pro and con on it, and then there will be time to extend it.

Mr. GORDON. I want to be heard on the "con" side.

Mr. STAFFORD. Will the opposition have half of the time, to be equally divided with those who favor the report?

Mr. FIELDS. I ask unanimous consent, then, Mr. Speaker, that the debate on this conference report be confined to one hour, one-half to be controlled by the gentleman from Wisconsin [Mr. STAFFORD] and one-half to be controlled by myself, and at the expiration of that time the previous question shall be considered as ordered.

Mr. FOSTER. Reserving the right to object, Mr. Speaker—

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects. The gentleman from Kentucky [Mr. FIELDS] is recognized.

Mr. HAMLIN rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. HAMLIN. I desire to submit a unanimous-consent request, if I may. If the gentleman from Kentucky will yield, I would like to submit a unanimous-consent request.

Mr. FIELDS. If the gentleman will make his request briefly, I will yield.

Mr. HAMLIN. This is a very important matter. It involves millions of dollars. The proposition involved has never really been considered by the House, and I think the House can well afford to take two hours upon it.

Mr. FIELDS. I can not yield to the gentleman to make a speech.

Mr. WINGO. Regular order, Mr. Speaker.

The SPEAKER. The gentleman from Arkansas demands the regular order. The regular order is that if these gentlemen are going to debate this thing they had better start. [Laughter.]

Mr. HAMLIN. I ask that the debate be limited to two hours, one half to be controlled by the gentleman from Kentucky [Mr. FIELDS] and the other half to be controlled by the gentleman from Wisconsin [Mr. STAFFORD], at the end of which time the previous question may be considered as ordered and a vote taken.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the debate on this conference report shall not exceed two hours, one half to be controlled by the gentleman from Kentucky [Mr. FIELDS] and the other half by the gentleman from Wisconsin [Mr. STAFFORD]. Is there objection?

Mr. WINGO. And at the end of that time the previous question is to be considered as ordered.

The SPEAKER. Yes. And at the end of that time the previous question is to be considered as ordered. Is there objection?

Mr. FOSTER. I object.

Mr. GARRETT of Texas rose.

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. GARRETT of Texas. To submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FIELDS. Mr. Speaker, is this being taken out of my time?

The SPEAKER. No. What is the parliamentary inquiry of the gentleman from Texas?

Mr. GARRETT of Texas. I would like to know if at the end the gentleman from Oklahoma [Mr. CARTER] shall be recognized to make a preferential motion?

The SPEAKER. The Chair will recognize the gentleman from Oklahoma.

Mr. MANN. The gentleman from Wisconsin [Mr. STAFFORD] is entitled to be recognized.

The SPEAKER. No. The first man who gets up in opposition to the bill is entitled to it. The Chair has always given preference in making the motion to recommit to the Republican side of the House—the minority. Still, the rule is for the man who qualifies to oppose the bill to have that right. That is the end of it.

Mr. MANN. I do not care who is recognized to make the motion.

The SPEAKER. The Chair will recognize the gentleman from Oklahoma if he qualifies. Is the gentleman from Oklahoma opposed to this bill?

Mr. CARTER of Oklahoma. Yes; with this amendment in it, I am.

Mr. FOSTER. That is not a proper qualification.

Mr. CARTER of Oklahoma. I am opposed to this conference report with this amendment in it.

The SPEAKER. If the gentleman will qualify without any limitation, the Chair will recognize him.

Mr. LONDON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

The LONDON. What is before the House now is the conference report and not the bill?

The SPEAKER. Of course it is.

Mr. LONDON. And therefore the qualification goes to the conference report, and the question is, Is the gentleman opposed to the conference report?

The SPEAKER. Of course the qualification goes to the conference report. There is no trouble about that.

Mr. WINGO. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Arkansas demands the regular order. The gentleman from Kentucky [Mr. FIELDS] is recognized for an hour.

Mr. CANNON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CANNON. Is the motion to recommit in order before the gentleman from Kentucky has his hour?

The SPEAKER. The Chair thinks it is.

Mr. MANN. Mr. Speaker, under the rules the motion to recommit can be made only when a Member gets the floor, except where the previous question has been ordered, and then it is a matter of right to make the motion. Before the previous question is ordered the gentleman must be able to get the floor in his own right in order to make the motion.

The SPEAKER. Here is the situation: It is the habit of the House to consider the motion to adopt the conference report as pending. Now, another gentleman gets up and makes a preferential motion. The Chair does not see that it makes a particle of difference when the motion to recommit is made. The gentleman from Kentucky [Mr. FIELDS] will please proceed.

Mr. FIELDS. Mr. Speaker, I have been waiting very patiently for this opportunity.

I wish to explain briefly the report, and I trust that I may not be interrupted until I have concluded my brief explanation.

The first section of the report vests in the Secretary of War authority to settle claims contracted by the War Department. The conferees used the House language as the basis of the bill.

Section 2 of the conference report confers upon the Court of Claims jurisdiction to consider the petition of the claimants if they are dissatisfied with the adjustment made by the Secretary of War.

Section 3 deals with foreign contracts. This amendment was put in by the Senate, and then, at the request of the War Department, was revised by the conferees, for the reason that it seemed proper to settle with foreign contractors in the same way that their governments were settling with them, and the provisions of the House bill would not permit such settlements.

Section 4 deals with subcontractors. It may be that there are five subcontractors in a particular case. Probably settlements can be had with four of them. This provision provides that payments may be made to those with whom settlements can be reached. It would be manifestly unfair to hold up a part of

the subcontractors because, forsooth, an agreement had not been reached with one of them. It would also give that subcontractor a long lever if he believed that by holding out he might get the terms demanded because he had the whole situation blocked.

That is briefly the substance of the report down to section 5, which seems to be the basis of the controversy here.

Mr. Speaker, the obligations that were incurred by the Government in the production of war materials were not incurred by the War Department alone. Some men were called upon to furnish ores or minerals of different kinds. They were called upon by the Department of the Interior, by the Shipping Board, by the War Trade Board, by the War Industries Board, and by the Emergency Fleet Corporation. These men responded to the call and invested their money. I understand that many of them are bankrupt to-day. These materials were war materials. Though their production was not requested by the Secretary of War, it was requested for the same purpose and the same uses as were the materials the production of which was requested by the Secretary of War. The Senate amendment would have included production made upon request through the public press, through advertisements, or, in fact, would have covered every character of production of this kind. When we were discussing this question a few days ago I stated to the House that I was opposed to including claims based upon that sort of request. So the conferees agreed to confine these claims to production demanded or requested by the Department of the Interior, by the War Trade Board, by the Shipping Board, by the Emergency Fleet Corporation, and by the War Industries Board.

Mr. LEVER. Will the gentleman yield for a question?

Mr. FIELDS. Let me conclude my statement first, please. Now, Mr. Speaker, it seems to me that when these agencies of the Government that were the chief organizations which were instrumental in promoting production for the prosecution of the war called citizens of this country to Washington or sent their agents to see them and requested them to engage in production for the prosecution of the war, the Government thereby incurred a moral obligation, whether there was any statute authorizing it or not. A bill passed this House some three months prior to October 5 which would have legalized all these claims had it passed the Senate in time, and I think it is fair to assume that these agencies of the Government, acting in anticipation of the enactment of that law, incurred these obligations.

Now, men put their money into these materials, and, as I said a moment ago, they are bankrupt in the event that the Government does not take care of them. I think it would be unfair to desert these men now. I think it matters not whether these requests were made through the Secretary of War, through the Department of the Interior, through the War Trade Board, through the Shipping Board, or the Emergency Fleet Corporation. They came from the Government of the United States, and whether there was a law upon the statute books at that time or not those agencies had the moral support of the people of the United States, and any individual who had refused to meet the request of one of these agencies would have been charged with being a slacker and almost a traitor.

But men did not refuse. They responded to the request of the legally constituted agencies of their Government, invested their money, and produced the goods, and I believe that the Government thereby incurred a moral obligation that it should now meet.

The question will be asked probably as to the amount of these claims. Mr. Manning, of the Department of the Interior, appeared before the conferees and stated that they would run from four and a half to eight million dollars. The bill provides that these claims must be filed within three months after the enactment of the law, which removes the fear that in years to come some man will come up under the provisions of this act and say that he engaged in industry for the support of the Government and has a just claim.

So I feel, Mr. Speaker, that the Government of the United States should at this time, considering the way that the people of the country came to the support of the Government and considering the position that any man would have been placed in had he refused to comply with the requests of these agents—I say the Government should meet this moral obligation. I will reserve the balance of my time.

Mr. MCKENZIE. Before the gentleman yields the floor, will he yield for a question?

Mr. FIELDS. Yes.

Mr. MCKENZIE. The gentleman has been talking about the moral obligation of the Government connected with these different claims. I want to ask him if it is not a fact that the

administration, particularly the Secretary of Agriculture and many of his agents, not only requested the farmers of the country, but went out and talked to them, wrote to them, and urged them to plant wheat, and that previous to that time the Congress of the United States had passed a law guaranteeing the farmer the price of \$2.26 a bushel?

Mr. FIELDS. Yes; guaranteed in advance.

Mr. McKENZIE. Under that request is it not possible that many of the farmers of the West went out and bought seed wheat, seed drills, and machinery, sowed his wheat, the drouth came and he lost his labor, he had the money invested in the machinery, and do you think that there is a moral obligation resting upon the Government to pay these men the \$2.26 a bushel for whatever wheat they might produce, but that it should now pay them for the machinery and the efforts they made in planting wheat with the expectation of getting \$2.26 a bushel, but where no grain was raised?

Mr. FIELDS. I will answer the gentleman's question by asking him one. If we had the right to guarantee to the farmer in advance the \$2.26 for the production of wheat, is it morally right for the Government to bankrupt these gentlemen—

Mr. McKENZIE. Will the gentleman yield further? I would simply say to the gentleman from Kentucky that if a man actually in the mining proposition had produced any manganese or pyrites under the request of these agents of the Government that the Government would be under a moral obligation to pay these gentlemen for the products which they had produced.

Mr. GORDON. But they have not produced any.

Mr. LEVER. Will the gentleman yield?

Mr. FIELDS. Yes.

Mr. LEVER. I want to say that the Secretary of Agriculture and every agency of the Secretary, and even the President of the United States, called upon the farmers of the country to produce foodstuffs, oats, rye, barley, pork, hogs, and they have done it in great abundance. We have more hogs in the country to-day than at any time in our history. More than that, the President called upon us, every agent called upon us, to buy liberty bonds, and they are selling at 94. Would the gentleman carry his theory so far as to ask the Government to pay these losses which were met in pursuance of a patriotic duty?

Mr. FIELDS. Oh, the gentleman can go on and on and on, but I am speaking of the investment and production of these gentlemen who were requested to make it.

Mr. SHERLEY. Will the gentleman yield?

Mr. FIELDS. I yield to my colleague.

Mr. SHERLEY. I would like to ask the gentleman, assuming his premises, which I do not agree to, why you should have thrown around section 6 of the conference report none of the safeguards you throw around other sections as to the contracts you were attempting to validate? In other words, why in one class it is wide open, with the decision of the Secretary of the Interior final, and in the other—

Mr. FIELDS. It gives to claimants under the Secretary of War a right that is not extended to these claimants, because if a claimant under the first provision does not care to accept the settlement of the Secretary of War he can appeal to the Court of Claims. But, under this provision, if the claimant does not accept the settlement of the Secretary of the Interior he can not go to the Court of Claims.

Mr. SHERLEY. Why not let them in both cases go to the Court of Claims? Is not that proof that he has no standing even in a court of equity?

Mr. FIELDS. He has not the right extended to others in this bill. Mr. Speaker, I reserve the balance of my time.

Mr. GORDON. Before the gentleman yields the floor will he yield to me for a question?

Mr. FIELDS. I yield.

Mr. GORDON. Where does the gentleman get the authority for saying that there will only be \$8,000,000 of these claims?

Mr. FIELDS. I stated where I got my authority; the Secretary of the Department of the Interior appeared before the conferees and made the statement.

Mr. GORDON. Under section 5 anybody who went out prospecting for manganese will have a claim against the Government.

Mr. FIELDS. I am glad the gentleman raised that question, because I overlooked it. They stated that the only claims would be on manganese, pyrites, chromium, and probably a little on phosphates.

Mr. GORDON. I know, but they are not all in yet; wait for the returns.

Mr. FIELDS. They know how much they requested and they based it on that. Mr. Speaker, I suggest that it would be agreeable to me for the gentleman from Wisconsin to control one-half the time.

Mr. STAFFORD. Mr. Speaker, I submit the following motion to recommit.

The SPEAKER pro tempore (Mr. WINGO). Does the Chair understand the gentleman from Kentucky to yield the floor?

Mr. FIELDS. No; Mr. Speaker, I am not yielding the floor.

Mr. GORDON. I would like to speak in opposition to this.

Mr. FIELDS. I will yield five minutes to the gentleman from Georgia [Mr. HOWARD]. I do not yield to the gentleman from Wisconsin to make a motion to recommit.

Mr. STAFFORD. I understood the gentleman from Kentucky had yielded the floor.

The SPEAKER pro tempore. The Chair understood the gentleman from Kentucky to yield to the gentleman from Wisconsin a part of his time.

Mr. FIELDS. I have not reached an agreement as to that, and I understood that the gentleman from Wisconsin wanted to debate the motion, but I did not agree to yield to him, nor do I yield to him to offer a motion to recommit.

Mr. STAFFORD. I was not endeavoring to take advantage of the gentleman under any circumstances. The gentleman stated in effect that he yielded the floor.

Mr. HAMLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman from Georgia yield for a parliamentary inquiry?

Mr. HOWARD. I do if it is not taken out of my time.

The SPEAKER pro tempore. The gentleman's time is running.

Mr. HOWARD. Then I refuse to yield.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for five minutes.

Mr. HOWARD. Mr. Speaker, the House has had this matter under consideration now three or four times. It passed what was known as the war-contracts bill on a previous occasion by a very large majority. That bill itself as it left the House and went to the Senate and section 5 of the present conference report are in identical language. For instance, let me read two lines of each one of these sections to show that the same safeguards, the same limitations, the same care, the same judicial scrutiny are imposed upon the Secretary of the Interior under section 5 as are imposed upon the Secretary of War under the original bill:

That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis that has been entered into in good faith—

And so forth.

Now, let us see what section 5 provides.

Mr. HAMLIN. Mr. Speaker, will the gentleman yield?

Mr. HOWARD. Just a moment. I want to get something in an intelligent, coherent way before the House, and you can not do it by answering questions every half minute. Therefore I shall have to refuse to yield. Let us see what section 5 says. Let us look this thing in the face as it exists. They are talking here about the farmers being induced to produce. Yes; they were induced to produce some, and they did produce, and they got the best prices that they ever got in the history of agriculture for what they did produce, and they had a general, stable market, whereas these men who were induced to produce had only one customer; and who was that customer? The Government of the United States. When the armistice was signed that customer ceased to exist, and what these men had produced had practically no intrinsic value for the purposes for which it was produced and under the conditions under which it was produced. Let us see about the safeguards and the limitations which are thrown around section 5 that gentlemen here are preparing to strike from this conference report by a rereference of it to the conferees. Section 5 provides:

That the Secretary of the Interior be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis, the amount or amounts of moneys heretofore invested or contracted to be invested—

And so forth. That is exactly the same language.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. HOWARD. No, I will not. The gentleman can debate the matter in his own time. I have only five minutes. Let us see what you do by your vote when you vote to disagree to the conference report and strike section 5 from it. You make flesh of one and fowl of the other. You say that you repose the greatest confidence in the Secretary of War and you say by your vote in striking out section 5 that you do not repose the same confidence in the Secretary of the Interior—that you are willing to trust the Secretary of War in the adjudication of \$1,680,000,000 worth of claims, but you are unwilling to place that same degree of confidence in the great Secretary of the Interior and permit him to settle four and a half million to eight million dollars' worth of claims upon undertakings that were entered into at the solicitation, at the suggestion, at the impor-

tunity of the Secretary of the Interior, and for what? What did he say to these men? Gentlemen here talk about running around and paying a lot of prospectors. You are not paying a lot of prospectors, you are paying a lot of patriotic citizens who invested their cold money at the earnest solicitation of the great Government of the United States, who had to have these deficits made up in the importation of pyrites to this country, in order that we might make munitions, to make up the deficit in the importation of chrome into this country with which to line our guns that won the battle on the western front. You are paying men who produced manganese to harden the steel in the guns that we used in the great victory that this country and our allies obtained.

The SPEAKER pro tempore. The time of the gentleman from Georgia has expired.

Mr. HOWARD. Mr. Speaker, I will ask the gentleman to give me two more minutes.

Mr. FIELDS. Mr. Speaker, I desire first to submit a request for unanimous consent. I renew my request that the time be extended 30 minutes, making the time of debate in all one and one-half hours, one-half of that to be controlled by the gentleman from Wisconsin [Mr. STAFFORD] and one-half by myself.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent that the time be extended for 30 minutes—

Mr. FIELDS. And that at the expiration of that time the previous question shall be considered as ordered.

The SPEAKER pro tempore. Making the total debate one hour and a half, one half of that time to be controlled by himself and the other half by the gentleman from Wisconsin, at the end of which time the previous question shall be considered as ordered.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, do I understand that no opportunity will be given to offer a motion to recommit?

The SPEAKER pro tempore. The Chair would suggest to the gentleman from Wisconsin that after the previous question is ordered, as the present occupant of the chair understands, the right to offer a motion to recommit still exists.

Mr. STAFFORD. With that understanding I have no objection to the previous question being considered as ordered, but I should like to have it distinctly understood that we have the opportunity under the arrangement to offer a motion to recommit.

Mr. CANNON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CANNON. The previous question being ordered, if it is by unanimous consent, at the request of the gentleman from Kentucky, when the time comes to move to recommit, does the previous question operate upon that motion?

The SPEAKER pro tempore. Yes. The Chair would say that under the proposed agreement this is the situation—that the previous question having been ordered upon the report, then a motion to recommit comes, as the present occupant of the chair understands, under the rule as a matter of privilege; but it would not be debatable, the previous question having been ordered.

Mr. STAFFORD. Will the gentleman embody in his request the right for a motion to recommit to be offered?

Mr. HEFLIN. Without debate.

Mr. CANNON. If it is a right, you do not have to agree.

The SPEAKER pro tempore. The present occupant of the chair is not the Speaker of the House, but the present occupant will state to the gentleman from Wisconsin the Speaker so advised the present occupant of the chair that that was the parliamentary law, and that was the opinion of the present occupant of the chair and the opinion of the parliamentary clerk.

Mr. STAFFORD. May we have an understanding that the motion to recommit may be offered?

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent that debate proceed to the extent of an hour and a half in all, one half to be controlled by the gentleman from Kentucky and the other half by the gentleman from Wisconsin [Mr. STAFFORD], at the end of which time the previous question shall be considered as ordered on the conference report. Is there objection?

Mr. STAFFORD. Reserving the right to object, as I understand, if that request is granted the hour and a half is to be from the time the discussion began?

The SPEAKER pro tempore. It is an extension of 30 minutes of the hour originally existing under the rule.

Mr. DYER. Mr. Speaker, reserving the right to object, about what time will that close debate?

The SPEAKER pro tempore. It will close it about 1.33, roughly estimating.

Mr. DYER. Now, another question—

Mr. KINCHELOE. Mr. Speaker, I demand the regular order. The SPEAKER pro tempore. The gentleman from Kentucky demands the regular order, and the regular order is: Is there objection?

Mr. DYER. Mr. Speaker, I object, if I can not ask a question and get some information.

Mr. FIELDS. I yield three minutes additional to the gentleman from Georgia.

Mr. JUUL. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia may proceed for two minutes further. He is making a statement, and I would like to hear the end of it.

The SPEAKER pro tempore. Does the gentleman from Georgia yield?

Mr. HOWARD. What particular portion of that statement does the gentleman wish to inquire about; there has been so much said—

Mr. JUUL. I want the gentleman to continue with his speech, and I would like the gentleman from Georgia to state where he finds the limitation upon the amount involved.

Mr. HOWARD. Now, let us see what the limitations are. We had some dollar-a-year statesmen down here in the War Department and in these other boards. I have in mind now contracts that they let in one instance—transport wagons—where they let a contract to one manufacturer that was a competitor of theirs before they went into the business at one price and let the contract to their old concern at another price. You place confidence in the Secretary of War to settle these claims; now let us see what the condition is in the country. The Labor Department is complaining all over the country that there is a great unemployment in this country. Why? Because the business men who want to receive what they have honestly earned from this Government and place it in reconstruction work are unable to do it, because they have got practically every dollar that is now due them by the Government of the United States liquidated in the great banking institutions of the country and are paying rates of interest that are equivalent to 6, 6½, and 7 per cent. Every day that you delay the payment of these claims there is assessed against the Government of the United States \$300,000 in interest—and gentlemen sit around here and try to bring in the farmer. Oh, great God, the iniquities that are committed in legislation in the name of the farmer! Somebody wants to play the demagogue with the farmer all the time, and he is ridden from one year's end to the other by some fellow who does not know which end of a mule to hitch up. [Laughter.] You are talking about—

Mr. JUUL. Now, Mr. Speaker—

Mr. HOWARD. In conclusion—

Mr. JUUL. I asked for the additional time for the gentleman in order to get him to answer a question.

The SPEAKER pro tempore. The time is in the control of the gentleman from Kentucky [Mr. FIELDS].

Mr. HOWARD. Now, let us see what are the limitations—that is what the gentleman wants—put on section 5. I repeat what I said in the very outset, that the same limitations and restrictions legally are placed around the war-minerals section as are placed around the section by which you confer power upon the Secretary of War. Now, then, the question comes up, and my distinguished friend from Ohio [Mr. GORDON], a great constitutional lawyer and a great lawyer and a great and good legislator, objects because the Supreme Court of the United States at one time passed upon this question. I got that decision and read it. The only difference between the gentleman from Ohio and the Supreme Court in that instance is that the Supreme Court held there and reversed the finding in the Cramp case and said that the amount due to the Cramp people was just and stated the amount that should be paid, and that was on a proposition that under the peculiar terms of that particular contract the Court of Claims had jurisdiction and they went there and got compensation; and the point involved in this case is that if these gentlemen are made to go through the Court of Claims and payment is delayed to them, it means absolute bankruptcy for every one of these men who responded to the call of their Government. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Speaker, will the gentleman from Kentucky kindly submit his unanimous-consent request again?

Mr. FIELDS. Mr. Speaker, I ask unanimous consent that the time be extended for 30 minutes, making one hour and a half in all; that one-half of that time be controlled by the gentleman from Wisconsin and one-half by myself, and at the expiration of that time that the previous question be considered as ordered.

Mr. OLIVER of Alabama. Do I understand the time already consumed is chargeable on the respective sides?

Mr. FIELDS. Yes.

The SPEAKER pro tempore. Let the Chair state the question. The gentleman from Kentucky asks unanimous consent that the time be extended for 30 minutes, one half of the time to be controlled by himself and the other half by the gentleman from Wisconsin [Mr. STAFFORD], and at the end of that time the previous question shall be considered as ordered on the conference report. Is there objection?

Mr. LARSEN. Reserving the right to object, do I understand that this request for the extension of time confines the debate to the conference report?

Mr. STAFFORD. Under the rules of the House it must necessarily be confined to the report.

The SPEAKER pro tempore. The present occupant of the chair so understands the rule.

Mr. LARSEN. If that is the understanding, I will not object.

Mr. DYER. Mr. Speaker, the regular order.

The SPEAKER pro tempore. The regular order is, Is there objection?

Mr. GARRETT of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GARRETT of Texas. Does unanimous consent preclude the motion to recommit?

The SPEAKER pro tempore. Oh, no. The Chair will state for the information of the gentleman from Texas that in the opinion of the present occupant of the chair there is no way by which the motion to recommit can be prevented from being offered on this conference report.

Mr. GARRETT of Texas. Then the gentleman making the motion to recommit would have an hour?

Mr. KINCHELOE. Mr. Speaker, I demand the regular order.

Mr. GARRETT of Texas. If the unanimous-consent agreement is agreed to, at the end of the hour and a half the previous question will be ordered, and a motion to recommit may be made, but no further discussion on the motion to recommit will be in order.

The SPEAKER pro tempore. That is the understanding of the Chair. Is there objection?

Mr. JUUL. Reserving the right to object—

Mr. KINCHELOE. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. The regular order is demanded, and the regular order is, Is there objection?

Mr. DYER. I object.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. FIELDS] is recognized.

Mr. FIELDS. Mr. Speaker, I yield 30 minutes of the time to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. The gentleman will have six minutes left after the time yielded to the gentleman from Wisconsin.

Mr. STAFFORD. Mr. Speaker, at the conclusion of eight minutes I wish the Chair to advise me.

Mr. Speaker, when this mining bill first passed the House it provided for an authorization to the Secretary of the Interior to fix a minimum price for all the minerals included in the bill. It passed the House as early as April, hibernated for five months over in the Senate, and then was revived into a different bill entirely, providing merely for the contract feature rather than for the minimum-price feature. That is disclosed by the report of the Senate, in which Senator HENDERSON uses the following language:

The minimum-price principle had the approval of the House, but the attention of your committee was called to the possibility of the Government thereby incurring onerous obligations which might be avoided by an elaboration of the contract principle approved by the House, thus lessening the Government's liability. By the contract system the Government would know definitely just what the obligation would be, whereas the minimum-price feature might so stimulate production as to place it in a most embarrassing position.

The bill as it finally passed Congress also provided for the incorporation of a Government institution with a capital of \$50,000,000 to go into the business of developing these minerals. The bill as it left the House provided for an appropriation of \$10,000,000. As it came back from the Senate it provided an appropriation of \$50,000,000. Under the bill as it was approved on October 5 no authority whatsoever was vested in anyone to fix the price. The President was only authorized from time to time to purchase such minerals. In fact, the Senate bill took away the authority from the Secretary of the Interior, because the opposition recognized it was too great a power to be lodged in a Cabinet officer, and vested the authority exclusively in the President. From October 5 to the signing of the armistice no authority was exercised whatsoever under this act.

Under this act it was required on the 25th of each month to file with the Clerk of the House and the Secretary of the Senate reports of all expenditures and operations under it. I have called upon the Clerk of the House and find that not one report has been filed and no operation ever undertaken under this bill.

Now, what is proposed? Because persons, in anticipation of a rising market, went in and developed their mines it is now proposed to compensate them for the full investment. I know of many men in industrial lines who invested hundreds of thousands of dollars in the steel industry in anticipation of getting Government orders, and whose investments became a complete loss at the time of the armistice; and yet you intend to compensate these mine owners and refuse to compensate the men who took the same risk of business in anticipation of the war continuing. If you pass this conference report, it vests in the Secretary of the Interior full authority as to implied contracts—

Mr. GORDON. No contracts at all.

Mr. STAFFORD. No contracts at all, but implied contracts, to recompense them, and we will be burdened down if this report is adopted, not to the extent of four or five million dollars, but hundreds of millions of dollars. You will be obliged to compensate all, because long before this bill was introduced there were persons insistent that there should be some legislation passed, but if they did not receive the authorization of Congress they would go ahead with these investments. They went ahead, as any business man would go ahead, in anticipation of high prices for their products and that there would be sale for these products if the war continued.

Mr. FIELDS. It is limited to \$50,000,000.

Mr. STAFFORD. Even then, if there are claims presented of hundreds of millions, though the conference report says only \$50,000,000 will be available, you will be obliged to pay the maximum of the claims that will be presented. There is no escape from that.

Mr. WELLING. Will the gentleman yield?

Mr. STAFFORD. I can not. My time is limited.

This section 5 is different entirely from the other provisions of the conference report. The others relate to conditions where a contract really had been entered into but it was irregular as to form; but here you are going to grant compensation or remuneration to everyone who happens to have gone into mining development. Under the law as enacted October 5, the respective bureaus, the Shipping Board, the War Trade Board, and the like, were given no authority, as described in this section 5, to encourage development. They had no authority to encourage the development. Naturally they were anxious and interested in having further production. They were calling upon the mine owners to produce from the very beginning of the war, but they did not exercise any authority under the act as passed. The President refused to exercise the authority, and for good reasons. He knew, as we all know now, that when this bill was approved on October 5, 1918, the war was coming to a close, and he used his good judgment not to impose the obligation of \$50,000,000 or \$1,000,000 upon the Government. Prior to the passage of this act perhaps the War Industries Board had called upon mine owners to produce more. They naturally called upon steel manufacturers to produce more; they may have called upon bronze manufacturers to produce more; and they may have called upon other manufacturers to produce more. But if you pass this provision for settlement of claims, without any basis of legal obligation, then you should reward every manufacturer who has increased his plant and who has suffered a loss by reason of the change of price and the refusal of the Government to purchase the output which their enlarged plant was capable of producing. [Applause.]

Mr. Speaker, I reserve the remainder of my time.

Mr. FIELDS. Mr. Speaker, there will be only one more speech on this side.

Mr. STAFFORD. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. HAMLIN].

The SPEAKER. The gentleman from Missouri is recognized for five minutes.

Mr. HAMLIN. Mr. Speaker, the gentleman from Georgia [Mr. HOWARD], I think, was not entirely fair with the House when he made the statement that the provisions in section 5 were identical with the provisions in the first part of this bill, applicable to the so-called war-contract claims to be adjusted by the Secretary of War. He did not read all of the provisions of section 1. He only read this part:

The Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis, that has been entered into in good faith during the present emergency and prior to November 12, 1918.

Then he read from a portion of section 5 which was identical, but the trouble was he did not read quite enough of section 1.

If he had read a little further he would have found this significant and important provision in section 1, which is not in section 5: The agreement mentioned in section 1 must have been entered into "by any officer or agent acting under the authority, direction, or instructions" of the Secretary of War "or the President of the United States." This specifically limits the settlement to only such claims as the President or Secretary of War had a right to make contracts for.

Now, that provision or anything like it is not in section 5. Why? Simply because they knew that the Secretary of the Interior or the President had no authority to make any agreements with these mineral producers, and therefore could not delegate authority to anybody else to make a contract. So the difference between the two classes of claims is apparent. They are in no sense identical.

The gentleman from Kentucky [Mr. FIELDS] and the gentleman from California [Mr. KAHN], two members of the conference committee, told this House the other day that they wanted this matter to go back to conference so that it could be safeguarded. If I can understand language, instead of safeguarding the interest of the Government they have thrown open wider the gates to the Treasury. The provision which they report is not nearly so good and the interest of the Government is not nearly so well safeguarded under this conference agreement as under the original proposition.

Mr. FIELDS. That is a difference of opinion. I differ with the gentleman on that. I think it is much better.

Mr. HAMLIN. Well, let us see. Under the original proposition a man to sustain his claim had to show that he was personally solicited by the War Industries Board, the Shipping Board, or the Interior Department. Under the provision brought in now—

Mr. FIELDS. By publicity or advertisement.

Mr. HAMLIN. I have not yielded to the gentleman. Yes; both under that provision and this provision as you have brought it in now. But under the provision that is brought in here now, all you have got to show is that they were requested or demanded by advertisement in a newspaper or in any other way, not only by the War Industries Board, the Shipping Board, or the Department of the Interior, but they have added the War Trade Board and the Emergency Fleet Corporation. I presume that they were afraid that some poor fellow might be left out under the other provision as written in by the Senate, so they extended the agencies of the Government in order to give all a chance to get in on the grand distribution of funds.

Now, there is another very radical difference between section 5 of this report and the balance of the bill. Let me call your attention to this proposition. Under the provision applying to the Secretary of War there is this safeguard written in:

That in no case shall any award, either by the Secretary of War or the Court of Claims, include prospective or possible profits—

And so forth.

Now, there is no such provision in section 5 applying to these mineral claims, and yet they tell us that the provision relating to the two classes of claims are identical. They tell us that the amount that can be expended is limited. Let us see if that is true. They say it is limited to \$50,000,000. I tell you, as a lawyer, that there is great doubt in my mind as to whether that is true or not. It is true that there is a provision in section 5 that says that these claims and the expenses of this adjudication shall be paid out of the \$50,000,000 appropriated by the act of October 5, 1918; but it does not say that the Secretary of the Interior, if this becomes a law, may not adjudicate claims and thereby legalize them and make them legal claims against the Government of the United States amounting to more than \$50,000,000, and that Congress will then be forced to make such additional appropriation as shall be necessary to pay them.

So I say that while I think it was the intention of the conferees to limit it to \$50,000,000, there is really a very serious doubt whether they have in fact so limited it.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Speaker and gentlemen of the House, there is no difference, I take it, in the desire of Members of the House; all of us want to do justice to the citizens of America, and men who have a real claim against the Government ought to have that claim liquidated by the Government.

But the problem that confronts a legislative body is not what it desires to do, but what it is doing when it proposes specific legislation; and notwithstanding the statement of the gentleman

from Georgia [Mr. HOWARD], I submit that there is no comparison between the powers that are conferred in the section that relates to contracts made by the War Department and those that relate to matters to be adjusted by the Secretary of the Interior. Anyone reading the bill with care will see the distinction very plainly. The Secretary of War is expressly limited, as has just been suggested, from doing certain things. By the proviso he is prohibited from including "prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States"; and here is what he can affirmatively allow: "A reasonable remuneration for expenditures or obligations or liabilities necessarily incurred in performing or preparing to perform said contract or order."

Now, the Secretary of the Interior is given the right to make a final adjudication, with the power "to ascertain, determine, adjust, and liquidate, and out of the moneys provided and appropriated by said act pay" the amounts of such losses and damages as he, the said Secretary, "shall find and determine to have been sustained by reason of having made such investments for said purposes." Now, go back and see what "said purposes" are, because that is the important provision in this particular language. Said purposes are these:

For producing or in good faith acquiring property for producing within the United States, for the purpose—

Here comes the purpose—

for the purpose of supplying the urgent needs of the Nation during the war, any ores or mineral substances mentioned and enumerated in the act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply"; approved October 5, 1918, the production of which was requested or demanded by the War Industries Board, the War Trade Board, the Shipping Board, the Emergency Fleet Corporation, or the Department of the Interior, and which has been performed in whole or in part by any such person, firm, or corporation prior to November 12, 1918.

Now, the difference is this: The war contracts which the Secretary of War is going to deal with, whether made formally or informally, are contracts relating to the procurement of a given thing for a given purpose. What is attempted is to validate those contracts when they have been made informally. The matters that the Secretary of the Interior is to deal with are wherever a person, at the suggestion or the invitation, or, if you please, a general order of the enumerated Government agencies, has gone to work for the purpose of developing a given mineral with the idea of increasing the general supply that the Nation may have need for. In other words, if a man undertook to open up a mine, not for the purpose of supplying the Government with a given quantity of manganese but for the purpose of stimulating and increasing the general production of manganese because of a need that the Nation might have, that claim can be recognized without limitation, in the discretion of the Secretary of the Interior.

The SPEAKER pro tempore. The time of the gentleman from Kentucky has expired.

Mr. STAFFORD. I yield to the gentleman one more minute.

Mr. SHERLEY. Now, the difference between the two is very wide. I believe we ought to legislate to take care of some cases that may have arisen in connection with the bill that we passed in regard to the stimulating of mining; but it ought to be so narrowed as not simply to throw the matter wide open and to invite every man who can persuade the Secretary of the Interior—because he is made the final judge—that he has made an investment for the general purpose of increasing the production of a given mineral. I think that is very much further than the Congress can afford to go, and I again submit that if any lawyer in this House will take the two paragraphs and sit down by himself for 10 minutes and read them he will come to the conclusion that they are not identical or similar, and that they do not throw around the action of the Government the same restrictions in each case. [Applause.]

Mr. STAFFORD. Mr. Speaker, how does the time stand?

The SPEAKER pro tempore. The gentleman from Wisconsin has 15 minutes and the gentleman from Kentucky 6 minutes.

Mr. STAFFORD. I yield four minutes to the gentleman from South Carolina [Mr. LEVER].

Mr. LEVER. Mr. Speaker, my objection to this conference report is that it sets a precedent that will absolutely paralyze this Congress. In my question to the gentleman from Kentucky I called attention to the agricultural situation, where production had been stimulated, where prices are now falling, and I asked him if his theory went to the extent of taking care of that kind of a situation. The gentleman from Georgia [Mr. HOWARD], interesting, brilliant, sometimes right, sometimes wrong, thoroughly wrong on this, refers to that as demagoguery and shakes his locks in the face of the House to prove it. Well,

I did not intend it as demagogy, and that is something about which I do not know very much. It may be demagogy, and I am willing to sit at the feet of the gentleman from Georgia when it comes to exercising that gentle art. I do not know much about it. [Laughter.]

But let us see the situation. It is a dangerous one. There is not an industry in the United States that has not responded to the patriotic appeal made to it and increased its production. I can speak more of agriculture, because I know more about it. The President in a proclamation, as I recall it, called upon the farmers of the United States to increase the food supply of the world. They did it. They did it with reference to corn, one of the greatest of agricultural products. They did it with reference to oats; they did it with reference to poultry; they did it with reference to hogs; they did it with reference to cattle; they did it with reference to rye; they did it with reference to barley; they did it with reference to everything. Corn had been selling at \$1.45 a bushel, and yet within the last two or three weeks it has fallen 40 cents a bushel. They produced this enormous crop to feed the peoples of the world. They went to the expense of added machinery, of added tractors, of added horsepower, of added everything else that was necessary.

Mr. HARDY. Will the gentleman yield for a question?

Mr. LEVER. I am sorry I can not. I have only four minutes. The principle of this bill, carried to its logical conclusion, would be to confer upon the Secretary of Agriculture the power to ascertain those losses and to make them good. If you pass this conference report in its present form, I say to you that, as the chairman of the Committee on Agriculture, I would feel disposed when the wheat bill comes on the floor of this House to include in it a provision for taking care of the losses of the farmers of this country who, responding to patriotic impulses, increased their production and must thereby suffer for it. [Applause.] I yield back the balance of my time.

Mr. HARDY. Will the gentleman yield for a question now?

Mr. LEVER. If I have the time.

Mr. HARDY. Does not the gentleman recognize the vast difference between a general appeal and a straight agreement?

Mr. LEVER. I do not regard this as an agreement.

Mr. GORDON. There never was any agreement.

Mr. HAMLIN. The gentleman from Texas [Mr. HARDY] must concede that they could not make any agreement.

Mr. GORDON. They had no authority to do it.

Mr. HAMLIN. They had no authority, and they could not make an agreement.

Mr. HARDY. The difference is that there was an agreement, and the gentleman talks about a general appeal.

Mr. HAMLIN. There could not be an agreement.

Mr. STAFFORD. I yield four minutes to the gentleman from Ohio [Mr. GORDON].

Mr. GORDON. Mr. Speaker, during the four minutes I ask not to be interrupted. Now, gentlemen, these two propositions are as wide apart as the poles. Under the national-defense act the President of the United States had the right to go out and buy munitions, had the right to go out and order munitions, had the right to go out and order munitions without limit, and he did so. Some of these contracts were not entered into as required by law and therefore they came to Congress with a proposition to authorize the Secretary of War to settle upon certain claims which had arisen in the attempt to produce munitions under authority granted to the President, and by order of the President and his subordinates, and thereupon the bill goes over to the Senate and they tack on section 5, which proposes to make the Secretary of the Interior a distributing agency for paying a lot of mining prospectors who went into the business without authority from any person on the face of the earth. Of course, it would authorize them to pay if ordered by the Shipping Board, or the War Trade Board, or the Emergency Fleet Corporation, or all the different other agencies, not one of whom had any authority to authorize anybody to go out and prospect for manganese or pyrites. And furthermore the attempt to settle and adjust munitions contracts was to settle any just contract with the Government for supplies which the Government had authorized to be purchased, that they intended to purchase and in fact did purchase. These minerals were not to be provided for the Government. The Government never intended to acquire any minerals.

The bill that was introduced and authorized that sort of thing to be done was pulled and hauled around the Senate and the House, and when finally enacted into law on October 5, 1918, it limited and restricted the power necessary to provide the minerals to an actual shortage which must be found to exist and announced by proclamation of the President. The President had no authority to enter into a contract for mining unless he issued the proclamation, and there never was any proclamation

issued by the President, because no shortage was found to exist, so that the President never had authority to make any contracts.

Mr. STEAGALL. Was there ever any agreement made by the Government under that bill?

Mr. GORDON. No.

Mr. STEAGALL. Did anyone ever have the power to make an agreement under that bill?

Mr. GORDON. No; no one had the power, not even the President of the United States, because he did not find any shortage, and, as a matter of fact, there was no shortage. They claim that they have a lot of these minerals that they can not sell, and that is the reason that the President never authorized these contracts.

Mr. ROSE. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. ROSE. If section 5 is of any value at all, does not the gentleman think that it should be unlimited?

Mr. GORDON. They talked about limiting this to \$50,000,000. But if the Secretary of the Interior is authorized to favor any mining prospector who comes in, the blue sky will be the limit. [Laughter.] Of course, Congress is not going to pay \$50,000,000 of these claims and then turn down other claims that are exactly as good. Why, all the fellows that did not go to war will have a claim. [Laughter and applause.]

Mr. STAFFORD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, in five minutes all one can do is to say I indorse—where you do indorse—what has been said. I indorse the statement of facts that the gentleman from Ohio [Mr. GORDON] has made, and I indorse his gesticulations. [Laughter.] I also indorse what the gentleman from Kentucky [Mr. FIELDS], the gentleman in charge of the conference report, has said—namely, that it was advertised in the newspapers and they were appealed to for months and months to do that and this and the other.

Mr. FIELDS. Will the gentleman yield? I know the gentleman does not want to misrepresent me.

Mr. CANNON. Certainly.

Mr. FIELDS. I stated that no provision based on such advertisements was provided for in the bill.

Mr. CANNON. Where is it provided for by law? I have here the law of October 5, 1918. It does not confer power on any fleet corporation or any other commission or upon the Secretary of the Interior. The only paragraph conferring power is one conferring it on the President. Has the President ever given power to anybody? [Applause.]

It is not proclaimed that he has. There was no necessity for it. Why, you take the development of coal and everything that went with it—all kinds of things during this war—and it has been remarkable. It has come by leaps and bounds, to be paid for by the Government when the Government gets the coal, and by you and me when we want to keep warm.

Now, mind you, the first part of this bill up to section 5 of the conference report is guarded. There must be a contract by somebody who is authorized to make it. The statute provides for certain things to be done before the contract should be signed—that was in normal times; but under pressure the contract was made by wire or by letter. This bill only waives on proper proof the formal execution of the contract in writing.

Where the contract is established in point of fact, then the Secretary of War has the power to fix the amount, and if the party, after full investigation, does not accept that amount, he can go to the courts. The courts are utilized. You can bring suit in the Court of Claims if you choose. You would have to establish your contract if you did. But how about this? The Secretary of the Interior—a very excellent gentleman, and I have great admiration for him and for his great ability—will find himself up a stump when he comes to consider the fore part of this section 5 as agreed upon. There does not have to be any contract, but if a fellow has been encouraged—

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. CANNON. Yes.

Mr. HARDY. Does not this provide that there should be an agreement? Is not that a contract?

Mr. CANNON. It does not provide that there shall be an agreement.

Mr. HARDY. It so reads.

Mr. CANNON. Oh, express or implied.

Mr. HARDY. That is still an agreement, is it not?

Mr. CANNON. With whom? Who has the authority to make it? Nobody but the President has the authority to make it, and now you are going to say—

Mr. HARDY. But, Mr. Speaker, the gentleman—

Mr. CANNON. Oh, the gentleman will have to excuse me, as I have only a moment longer. If somebody would go on his own

motion, somebody from the Bureau of Mines, or would write a letter to Sam, Tom, Jim, or Jake that we are going to need pyrites and manganese and all that kind of thing under the law of October 5, 1918, the President, and the President only, had the power to make contracts, and I am informed that he never made a contract under that act and never authorized the Secretary of the Interior or any other person to make contracts for him.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. CANNON. Let us cut this thing off right behind the ears. [Applause and laughter.]

Mr. FIELDS. Mr. Speaker, how does the time now stand?

The SPEAKER pro tempore. The gentleman from Wisconsin has one minute remaining and the gentleman from Kentucky six minutes.

Mr. BLACK. Mr. Speaker, will the gentleman from Kentucky yield to me for a moment?

Mr. STAFFORD. Mr. Speaker, I reserved one minute in which to offer the motion to recommit, but I believe I have that privilege anyway, and I yield three-quarters of a minute to the gentleman from Texas.

Mr. BLACK. Mr. Speaker, what I wanted the gentleman to yield for was to ask him a question. I see in this section 5 that it authorizes the Secretary of the Interior to adjust these contracts, express or implied, but it does not say with whom those contracts must have been made. If that provision of the section should state that the contracts must have been made with the United States Government, or with some authorized agent of the United States Government, then it would be hedged about with some desirable restrictions, but if the gentleman will read the language he will find it is broad enough to cover any express or implied agreement made with anybody in the United States.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. FIELDS. Oh, no; it would not. I now yield five minutes to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Speaker, there has been a great deal of discussion here predicated upon a false premise. Many gentlemen do not seem to understand the situation in which the owners of mining properties find themselves. These gentlemen who had properties containing manganese and chrome and pyrites had not been operating them for many years, because they could not operate them profitably against the competition of the producers in foreign countries. We were getting all those ores from Rhodesia and New Caledonia. The foreign supply was cut off or in danger of being cut off. I am informed that the Secretary of the Interior sent for the men personally who owned these properties and said to them that there was danger to the country if we did not continue to procure those ores so necessary to the production of ordnance and munitions. They replied to him: "We can not produce them in competition with the foreign producers," and were told that if they would go ahead and help save the country in that regard they would be taken care of by the Government. It was an implied agreement with the men who owned the mining properties when they were asked by authorized officers of our Government to put up their money to produce these ores. They knew that they could not produce them in competition with foreign producers. They were informed that every pound of chrome produced in this country would help release tonnage that was so necessary for the transportation of soldiers and supplies. They declined to go ahead until they were assured that if they did go ahead they would get remuneration from the Government, whose needs they were trying to supply. The entire amount involved in this matter is about four and a half million dollars. These people in good faith followed the request of an executive officer of this Government. They came to the aid of the Government, and in all decency, in all equity, and in all good faith they ought to be treated fairly by the Government.

Much sympathy is expressed for the farmers of the country. I believe that when any producer in any line of production in this country was told by the Government officials to go ahead and produce for the use of the Government in its efforts to win the war, an adjustment of his claim ought to be made. It is not fair to say to these men, after they have put up hundreds of thousands of dollars, "You have no claim, you must pocket your loss." I know one concern out in my community that put up many hundreds of thousands of dollars in developing a manganese plant. They had no need to do it; they did not have to put their money for that purpose, but they were requested by the Interior Department to do it; and now to deny them a fair compensation for the money they expended or even the return of their money in their investment, seems to me to be dishonest,

even if it be done on the part of the Government of the United States.

Mr. BAER. Mr. Speaker, will the gentleman yield?

Mr. KAHN. No; I can not yield. I was one of the conferees, and we heard a great deal about advertisements inducing men to put up their money. In order to prevent that class of claims being presented we expressly provide that there must have been an agreement, either express or implied, with the men who had the mining properties. Not a single case can be adjudicated unless there has been that kind of an agreement.

The SPEAKER. The time of the gentleman from California has expired.

Mr. FIELDS. Mr. Speaker, I move the previous question on the conference report.

Mr. STAFFORD. Mr. Speaker, I offer the following motion to recommit, and on that I demand the previous question.

The SPEAKER. The Chair promised to recognize the gentleman from Oklahoma [Mr. CARTER] unless somebody more fully qualified demanded the right of recognition.

Mr. STAFFORD. Mr. Speaker, this is satisfactory to the gentleman from Oklahoma.

The SPEAKER. Is the gentleman from Wisconsin against the bill?

Mr. STAFFORD. I am against the conference report.

The SPEAKER. Dead against it?

Mr. STAFFORD. Dead.

The SPEAKER. The question is on the motion of the gentleman from Kentucky on ordering the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The gentleman from Wisconsin offers a motion to recommit, and on that demands the previous question. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. STAFFORD moves to recommit the conference report on the bill H. R. 13274 to the committee of conference, with instructions to the managers on the part of the House not to agree to section 7 of the Senate amendment in any form.

The SPEAKER. The question is on ordering the previous question on the motion of the gentleman from Wisconsin to recommit.

The question was taken; and the previous question was ordered.

The SPEAKER. The question is on agreeing to the motion to recommit.

The question was taken; and the Speaker announced the ayes seemed to have it.

Mr. WINGO and Mr. HOWARD. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 100, noes 47.

Mr. KAHN and Mr. RAKER. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The two gentlemen from California make the point of order that there is no quorum present, and evidently there is not. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken, and there were—ayes 214, noes 117, answered "present" 6, not voting 92, as follows:

YEAS—214.

Alexander	Cooper, Wis.	Fuller, Ill.	Johnson, S. Dak.
Anderson	Copley	Fuller, Mass.	Jones
Anthony	Crago	Gard	Juul
Bacharach	Cramton	Garner	Kearns
Baer	Crisp	Garrett, Tenn.	Kelly, Pa.
Beshlin	Crosser	Garrett, Tex.	Kennedy, Iowa
Birch	Currie, Mich.	Glynn	Key, Ohio
Black	Dale	Good	Kincheloe
Blackmon	Davey	Gordon	King
Blanton	Davis	Gould	Kitchin
Brand	Decker	Graham, Ill.	Knutson
Britten	Dempsey	Gray, Ala.	Kraus
Brodbeck	Denison	Green, Iowa	Kreider
Browne	Dent	Greene, Mass.	Larsen
Buchanan	Dewalt	Greene, Vt.	Lehlbach
Burnett	Dickinson	Hamilton, Mich.	Leshner
Burroughs	Dies	Hamlin	Lever
Butler	Dillon	Harrison, Va.	Little
Byrnes, S. C.	Dixon	Hastings	London
Byrns, Tenn.	Donovan	Haugen	Longergan
Campbell, Kans.	Doughton	Heaton	Longworth
Candler, Miss.	Dowell	Hersey	Lufkin
Cannon	Dunn	Holland	Lunn
Cantrill	Eagan	Hollingsworth	McCulloch
Carter, Okla.	Elliott	Hood	McFadden
Cary	Ellsworth	Houston	McKenzie
Chandler, Okla.	Essen	Huddleston	McKinley
Clark, Pa.	Fairfield	Hull, Iowa	McLaughlin, Mich.
Claypool	Fess	Hull, Tenn.	McLaughlin, Pa.
Coady	Focht	Humphreys	McLemore
Collier	Foss	Igoe	Madden
Connally, Tex.	Frear	Ireland	Magoo
Cooper, Ohio	Freeman	James	Mann

Mansfield	Quin	Slayden	Venable
Mason	Ragsdale	Snell	Vestal
Mondell	Ramsey	Snook	Vinson
Montague	Ramseyer	Stafford	Voigt
Moon	Rayburn	Steagall	Volstead
Moore, Pa.	Reed	Stedman	Walker
Morgan	Robinson	Steele	Walsh
Mott	Romjue	Steenerson	Ward
Mudd	Rose	Stephens, Miss.	Wason
Nelson, A. P.	Rubey	Stephens, Nebr.	Watson, Pa.
Nelson, J. M.	Sabath	Sterling	Watson, Va.
Nichols, S. C.	Saunders, Va.	Stevenson	Webb
Oliver, Ala.	Scott, Iowa	Stiness	Whaley
Olney	Scott, Mich.	Sumners	Wheeler
Paige	Sells	Sweet	Williams
Parker, N. J.	Shallenberger	Temple	Wilson, Tex.
Parker, N. Y.	Sherley	Thompson	Woodyard
Peters	Sherwood	Tilson	Young, Tex.
Polk	Siegel	Towner	Zihlman
Porter	Sims	Treadway	
Pou	Sisson	Van Dyke	

NAYS—117.

Aswell	Fields	Lee, Ga.	Rowe
Austin	Fisher	Linthicum	Sanders, N. Y.
Ayres	Flood	McArthur	Sanford
Bankhead	Foster	McKeown	Schall
Barkley	French	Mapes	Shouse
Beakes	Gallagher	Martin	Sinnot
Bell	Gallivan	Mays	Slemp
Benson	Gandy	Merritt	Sloan
Bland, Va.	Godwin, N. C.	Miller, Minn.	Small
Campbell, Pa.	Goodwin, Ark.	Moore, Ind.	Smith, Idaho
Caraway	Griffin	Morin	Smith, C. B.
Church	Hadley	Nichols, Mich.	Switzer
Classon	Hardy	Nolan	Taylor, Colo.
Connolly, Kans.	Hawley	Oldfield	Tillman
Cooper, W. Va.	Hayden	Oliver, N. Y.	Timberlake
Curry, Cal.	Hayes	Osborne	Walton
Denton	Heflin	Overstreet	Watkins
Dill	Hicks	Padgett	Weaver
Dominick	Hilliard	Platt	Welling
Doollittle	Howard	Powers	Welty
Doremus	Jacoway	Rainey, H. T.	White, Me.
Dupré	Johnson, Wash.	Rainey, J. W.	Wilson, Ill.
Dyer	Kahn	Raker	Wilson, La.
Eagle	Kehoe	Randall	Wingo
Elston	Kettner	Rankin	Wise
Esch	Kinkaid	Riordan	Wright
Evans	La Follette	Roberts	Young, N. Dak.
Fairchild, B. L.	Lampert	Rodenberg	
Fairchild, G. W.	Lazaro	Rogers	
Ferris	Lea, Cal.	Rouse	

ANSWERED "PRESENT"—6.

Edmonds	Keating	Reavis	Rucker
Emerson	Littlepage		

NOT VOTING—92.

Almon	Druker	Johnson, Ky.	Russell
Ashbrook	Estopinal	Kelley, Mich.	Sanders, Ind.
Barnhart	Farr	Kennedy, R. I.	Sanders, La.
Bland, Ind.	Flynn	Kiess, Pa.	Scully
Booher	Fordney	LaGuardia	Sears
Borland	Francis	Langley	Shackleford
Bowers	Garland	Lobeck	Smith, Mich.
Browning	Gillett	Lundeen	Smith, T. F.
Brumbaugh	Goodall	McAndrews	Snyder
Caldwell	Graham, Pa.	McClintic	Strong
Carew	Gray, N. J.	McCormick	Sullivan
Carlin	Gregg	Maher	Swift
Carter, Mass.	Griest	Miller, Wash.	Tague
Chandler, N. Y.	Hamill	Neely	Taylor, Ark.
Clark, Fla.	Hamilton, N. Y.	Norton	Templeton
Cleary	Harrison, Miss.	O'Shaunessy	Thomas
Costello	Haskell	Overmyer	Tinkham
Cox	Heintz	Park	Vare
Dallinger	Helm	Phelan	Waldow
Darrow	Helvering	Pratt	White, Ohio
Delaney	Hensley	Price	Winslow
Doolling	Husted	Purnell	Wood, Ind.
Drane	Hutchinson	Rowland	Woods, Iowa

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. LITTLEPAGE with Mr. BOWERS.
 Mr. CAREW with Mr. DALLINGER.
 Mr. SCULLY with Mr. BROWNING.
 Mr. MAHER with Mr. DARROW.
 Mr. CLEARY with Mr. FORDNEY.
 Mr. SULLIVAN with Mr. GARLAND.
 Mr. THOMAS F. SMITH with Mr. GRIEST.
 Mr. ASHBROOK with Mr. HASKELL.
 Mr. BOOHER with Mr. HUTCHINSON.
 Mr. CLARK of Florida with Mr. KENNEDY of Rhode Island.
 Mr. LOBECK with Mr. KIESS of Pennsylvania.
 Mr. MCANDREWS with Mr. LANGLEY.
 Mr. MCCLINTIC with Mr. MILLER of Washington.
 Mr. NEELY with Mr. PURNELL.
 Mr. OVERMYER with Mr. SANDERS of Indiana.
 Mr. PARK with Mr. SNYDER.
 Mr. PHELAN with Mr. TINKHAM.
 Mr. SEARS with Mr. WOOD of Indiana.
 Mr. CABLIN with Mr. LA GUARDIA.
 Mr. DOOLING with Mr. BLAND of Indiana.

Mr. SANDERS of Louisiana with Mr. SMITH of Michigan.
 Mr. JOHNSON of Kentucky with Mr. WINSLOW.
 Mr. HAMILL with Mr. HUSTED.
 Mr. RUSSELL with Mr. STRONG.
 Mr. BRUMBAUGH with Mr. COSTELLO.
 Mr. WHITE of Ohio with Mr. NORTON.
 Mr. HARRISON of Mississippi with Mr. REAVIS.
 Mr. ESTOPINAL with Mr. EMERSON.
 Mr. O'SHAUNESSY with Mr. GRAHAM of Pennsylvania.
 On this vote:
 Mr. RUCKER (for) with Mr. HENSLEY (against).
 The result of the vote was announced as above recorded.

LEAVES OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ASHBROOK, for two days, on account of illness.
 To Mr. ALMON, for to-day, on account of illness.

VALIDATION OF CERTAIN WAR CONTRACTS.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.
 The SPEAKER. The gentleman will state it.
 Mr. WINGO. What has become of the conference report?
 The SPEAKER. The conference report goes back to the conferees.
 Mr. WINGO. Is the report sent back or the bill?
 The SPEAKER. The report is sent back.
 Mr. WINGO. That is all I wanted to know.

EXTENSION OF REMARKS.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.
 The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.
 Mr. FIELDS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.
 The SPEAKER. Is there objection? [After a pause.] The Chair hears none.
 Mr. LEVER. Mr. Speaker, I make the same request.
 The SPEAKER. The gentleman from South Carolina makes the same request. Is there objection? [After a pause.] The Chair hears none.
 Mr. YOUNG of North Dakota. Mr. Speaker, I would like to make the same request.
 The SPEAKER. The gentleman from North Dakota makes a similar request. Is there objection? [After a pause.] The Chair hears none.
 Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks on this motion to recommit.
 The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks on the motion to recommit. Is there objection? [After a pause.] The Chair hears none.

THE ARMY.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15835, the Army appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15835, with Mr. SAUNDERS of Virginia in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15835) making appropriations for the support of the Army for the fiscal year ending June 30, 1920.

The CHAIRMAN. When the committee rose on yesterday, a point of order had been reserved by the gentleman from Wisconsin [Mr. STAFFORD] to this paragraph—

Mr. DENT. Mr. Chairman, I want to submit a request if I can get the attention of the committee. I ask unanimous consent to pass for the present the items on the subject of Air Service and the Bureau of Aircraft Production, beginning on page 9 and ending on page 15, with the idea that I propose to offer a substitute a little later.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to pass by the portions of the bill indicated for the present.

Mr. MANN. Mr. Chairman, we could not hear what the gentleman indicated.

The CHAIRMAN. The Clerk will report the sections proposed to be passed over.

The Clerk read as follows:

Mr. DENT asks unanimous consent to pass the paragraph headed "Air Service (Aeronautics)," page 9, lines 6 to 25, inclusive, all of page 10, and lines 1 to 16, inclusive, on page 11; and "Bureau of Aircraft Production," beginning on line 17, page 11, and ending in line 10, page 15.

Mr. MOORE of Pennsylvania. What is the request, Mr. Chairman?

The CHAIRMAN. That the sections indicated may be passed for the present. The chairman of the committee indicated that a substitute would be offered hereafter.

Mr. MOORE of Pennsylvania. What does "the present" mean? I am obliged to go away to attend a conference, and I would like to be here at the proper time.

The CHAIRMAN. Does the gentleman from Alabama mean after we have completed the bill?

Mr. DENT. I am perfectly willing to wait until the end of the bill and then return to it.

Mr. MOORE of Pennsylvania. I would like to be here when it comes up. I am obliged to be away.

Mr. DENT. I will agree not to bring it up until we complete the reading of the bill.

The CHAIRMAN. The gentleman enlarges his request that the sections be taken up at the conclusion of the reading of the bill. Is there objection?

Mr. MANN. Reserving the right to object, I understand it is the purpose of the gentleman to pass over the language so as to formulate it in different shape?

Mr. DENT. Yes; to meet the objections made yesterday.

The CHAIRMAN. Is there objection?

Mr. WALSH. Reserving the right to object, I desire to reserve points of order on the matter asked to be passed over.

The CHAIRMAN. The gentleman reserves all points of order on the matter asked to be passed over. Is there objection to the request of the gentleman from Alabama [Mr. DENT]?

There was no objection.

The Clerk read as follows:

PROVOST MARSHAL GENERAL'S OFFICE.

COMPLETION, PRESERVATION, AND TRANSPORTATION OF THE RECORDS.

For all expenses necessary for the completion, preservation, and transportation of the records pertaining to the draft under the act of May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," \$25,000.

LEAGUE OF NATIONS.

Mr. HARRISON of Mississippi. Mr. Chairman, I move to strike out the last word. There has just come over the wire and received by the press gallery the first draft of the constitution of the new league of nations. All of it has not been received, but a large portion has. I desire in my time to have read just two articles, the one touching arbitration and the other touching disarmament.

The CHAIRMAN. Without objection, the Clerk will read the matter sent to the desk.

The Clerk read as follows:

ART. VIII. The high contracting parties recognize the principle that the maintenance of peace will require the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations, having special regard to the geographical situation and circumstances of each State; and the executive council shall formulate plans for effecting such reduction.

The executive council shall also determine for the consideration and action of the several Governments what military equipment and armament is fair and reasonable in proportion to the scale of forces laid down in the program of disarmament; and these limits, when adopted, shall not be exceeded without the permission of the executive council.

The high contracting parties agree that the manufacture by private enterprise of munitions and implements of war lends itself to grave objections, and direct the executive council to advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of these countries which are not able to manufacture for themselves the munitions and implements of war necessary for their safety.

The high contracting parties undertake in no way to conceal from each other the condition of such of their industries as are capable of being adapted to warlike purposes or the scale of their armaments, and agree that there shall be full and frank interchange of information as to their military and naval program.

ART. IX. A permanent commission shall be constituted to advise the league on the execution of the provisions of Article VIII and on military and naval questions generally.

ART. X. The high contracting parties undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the league. In case of any such aggression, or in case of any threat or danger of such aggression, the executive council shall advise upon the means by which the obligation shall be fulfilled.

ART. XI. Any war or threat of war, whether immediately affecting any of the high contracting parties or not, is hereby declared a matter of concern to the league, and the high contracting parties reserve the right to take any action to safeguard the peace of nations.

It is hereby also declared and agreed to be the friendly right of each of the high contracting parties to draw the attention of the body of

delegates or of the executive council to any circumstances affecting international intercourse which threaten to disturb international peace or the good understanding between nations, upon which peace depends.

ART. XII. The high contracting parties agree that should disputes arise between them which can not be adjusted by the ordinary processes of diplomacy, they will in no case resort to war without previously submitting the questions and matters involved either to arbitration or to inquiry by the executive council and until three months after the award by the arbitrators or a recommendation by the executive council; and that they will not even then resort to war as against a member of the league which complies with the award of the arbitrators or the recommendation of the executive council.

In any case, under this article the award of the arbitrators shall be made within a reasonable time, and the recommendation of the executive council shall be made within six months after the submission of the dispute.

ART. XIII. The high contracting parties, whenever any dispute or difficulty shall arise between them which they recognize to be suitable for submission to arbitration, and which can not be satisfactorily settled by diplomacy, will submit the whole matter to arbitration. For this purpose the court of arbitration to which the case is referred shall be the court agreed on by the parties or stipulated in any convention existing between them. The high contracting parties agree that they will carry out in full good faith any award that may be rendered. In the event of any failure to carry out the award, the executive council shall propose what steps can best be taken to give effect thereto.

ART. XIV. The executive council shall formulate plans for the establishment of a permanent court of international justice, and this court shall, when established, be competent.

ARMY APPROPRIATION BILL.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

QUARTERMASTER CORPS.

PAY, ETC., OF THE ARMY—PAY OF OFFICERS.

For pay of officers of the line, \$36,910,264.

For pay of the officers of staff corps and departments, \$31,775,053.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the paragraph.

Mr. STAFFORD. I wish to inquire whether this item was carried in former bills. I yield to the gentleman from Connecticut [Mr. TILSON]. He may have the information desired. The item is, "For pay of the officers of staff corps and departments, \$31,775,053."

Mr. TILSON. I am not sure as to the form that was carried in. I thought the gentleman had reference to the pay of warrant officers in the mine-planter service.

Mr. KAHN. I want to call the attention of the gentleman to the fact that there are two classes of officers—officers of the line, who have charge of the fighting forces of the Army, and the officers of the staff corps and departments, having charge of the administrative and supply branch of the Army. I am under the impression that we have appropriated for them heretofore separately.

Mr. STAFFORD. I am quite advised as to the distinction between the line and the staff. I did not find this item in last year's bill, and I am inquiring whether they were heretofore carried under a lump-sum appropriation in general phraseology.

Mr. DENT. They were appropriated for under a lump-sum appropriation, and the committee adopted this plan for this year.

Mr. STAFFORD. I withdraw the reservation of a point of order.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

Mr. Sisson. Mr. Chairman, I would like to ask a member of the committee who knows how many staff officers we have as compared with line officers. I know that you have pay for officers of the line \$36,910,264, and pay of the staff corps and departments \$31,775,053, nearly as much money for the staff officers as for the officers of the line.

Mr. DENT. I can give the gentleman the figures in one moment. Or I will supply them later.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For pay of the officers, Bureau of Insular Affairs, \$15,000.

Mr. WATSON of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. WATSON of Pennsylvania. Can the chairman of the committee inform me how the \$15,000 on page 16, lines 5 and 6, is distributed in that office? There are three—a chief, an assistant chief, and a chief clerk. How is the \$15,000 divided between those three?

Mr. DENT. There is the chief of the bureau, who gets the pay of a brigadier general. There is an assistant chief, and there is a clerk.

Mr. WATSON of Pennsylvania. That does not define what the clerk gets. It is divided. I want to know what the clerk is paid.

Mr. DENT. The pay of a brigadier general is \$6,000. The assistant chief, as I recollect, gets the pay of a colonel, which is \$4,000. That makes \$10,000. The remaining \$5,000 goes to the clerk.

Mr. WATSON of Pennsylvania. The balance goes to the clerk?

Mr. DENT. That is my recollection. I think I am right about that.

Mr. KAHN. The brigadier general gets \$6,000 as base pay, but he is entitled to longevity pay, which would probably increase that amount somewhat.

Mr. DENT. In other words, we simply take care of the pay of a brigadier general, a colonel, and a clerk in the office.

Mr. STAFFORD. Mr. Chairman, I rise in opposition to the pro forma amendment. I wish to inquire of the chairman of the committee whether he can inform the House as to how many instances there are in the War Department where officers are detailed to perform the work of chief clerk or to any other civilian position?

Mr. DENT. As to how many instances?

Mr. STAFFORD. Yes.

Mr. DENT. No. I can not inform the gentleman how many instances.

Mr. STAFFORD. It is the usual practice with other departments and bureaus to provide for a chief clerk and employ a chief clerk from the civilian roll. Even in the War Department we have a chief clerk provided for in the Inspector General's office and in the Judge Advocate General's office and in the Signal Office at salaries ranging from \$2,000 to \$2,500. Why should the distinction be made that in this office they detail an officer who draws a salary, maybe, of \$5,000?

Mr. DENT. Will the gentleman please repeat what particular section or paragraph he is calling attention to?

Mr. STAFFORD. In response to the inquiry made by the gentleman from Pennsylvania [Mr. Watson], I understood the gentleman to say that in the office of the Bureau of Insular Affairs there is an officer, a colonel or a general, detailed to the position of chief clerk.

Mr. DENT. Oh, no. I did not say that. I said that we provide for the pay of the chief of the bureau, who has the detail rank of a brigadier general, and an assistant, who has the rank of a colonel, and then a clerk in addition; and that covers the \$15,000.

Mr. STAFFORD. What does the clerk receive?

Mr. DENT. The clerk would receive the difference between \$15,000 and the aggregate pay of a brigadier general and a colonel.

Mr. STAFFORD. Does the gentleman think it is good legislative practice to provide for a departmental clerk in one bureau in this bill when we provide for most of the civilian force in the legislative appropriation bill?

Mr. DENT. I will state to the gentleman that that has been carried in this bill for so many years that I am surprised that somebody has not raised this question before. But it has been carried for years and years in this bill.

Mr. STAFFORD. It has been carried in a form that was not detectable except to the eagle eye of perhaps some member of the Committee on Military Affairs who is advised in advance.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I will be glad to.

Mr. KAHN. The Chief of the Bureau of Insular Affairs, as I recall, is a member of the General Staff, and the General Staff has always had its clerks supplied in the Army appropriation bill. On the next page of the bill, on page 17, the gentleman will find near the bottom of the page a provision for the pay of those clerks, and I presume that the clerk in the office of the Insular Affairs Bureau is paid under the provisions of the bill.

Mr. STAFFORD. Mr. Chairman, with all due respect to the very learned gentleman of the Committee on Military Affairs, the gentleman from California [Mr. Kahn], I beg to say to him and to the House that that is hardly an explanation of why a clerk should be carried in this Army appropriation bill. I wish to inform him, although I doubt whether this is information to him, even, that the office force of the Bureau of Insular Affairs consists of a law officer, chief clerk, and many clerks of class 4 and many clerks of class 3 and of class 2 and of class 1, and some at \$1,000 are carried in the legislative appropriation bill.

The legislative appropriation bill covers all the civilian employees connected with the War Department. Here is an instance where you are paying for a civilian employee out of a lump sum, without any control by Congress as to the amount—none whatsoever. I hardly think the gentleman has given a reason why that should be continued.

Mr. MANN. Does this authorize the payment of a civilian? It says "officers."

Mr. STAFFORD. That is the explanation made by the chairman of the committee [Mr. DENT], as I understood it.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. STAFFORD] has expired.

Mr. STAFFORD. I ask unanimous consent for three minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr. MCKENZIE. Will the gentleman yield to me for a question?

Mr. STAFFORD. If the gentleman can answer the query propounded by the gentleman from Illinois [Mr. Mann].

Mr. MCKENZIE. As I understand it, and I believe I am correct in my understanding, this paragraph provides for the pay of officers of the staff in the department and has no reference to or anything to do with civilian employees, but is absolutely confined to the pay of officers.

Mr. STAFFORD. Then I will direct the inquiry anew to the chairman of the committee, whether any amount of this money is paid to civilian employees?

Mr. DENT. I was mistaken about that. There are three officers.

Mr. STAFFORD. Then let the chairman explain why he changes the phraseology so as to provide generally for the pay of officers when last year he specified for the pay of three officers.

Mr. DENT. I have no objection to making it three. I offer an amendment, in line 5, page 16, to strike out the word "the" and insert the word "three."

The CHAIRMAN. The pro forma amendment is withdrawn, and the gentleman from Alabama offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 16, line 5, after the word "of," where it occurs the first time, strike out the word "the" and insert the word "three."

Mr. HUMPHREYS. Mr. Chairman, may I ask the gentleman a question about that?

Mr. DENT. I yield to the gentleman from Mississippi.

Mr. HUMPHREYS. It was explained that the chief is a brigadier general, getting \$6,000, but that, in addition to that, he is entitled to longevity pay, and no doubt that is true of the other officers there. Now, it will not necessarily be the same officers all the time.

Mr. DENT. No.

Mr. HUMPHREYS. Another officer coming in would not have the same longevity pay.

Mr. DENT. I do not think this includes the longevity pay. That is provided for in a separate item.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. DENT.]

The amendment was agreed to.

Mr. HUMPHREYS. Mr. Chairman, I want to ask the chairman of the committee a question, for my information, about line 1, pay of officers of the Officers' Reserve Corps. Do the members of the Officers' Reserve Corps draw pay in time of peace?

Mr. DENT. Only when they are called into the service.

Mr. HUMPHREYS. Is this for those officers of the Reserve Corps who were called into the service and are now in the service?

Mr. DENT. When they are detailed for some particular duty.

Mr. HUMPHREYS. They do not draw any pay otherwise?

Mr. DENT. No; not at all. They can not under the law.

Mr. SHALLENBERGER. The explanation was made of that item that the law contemplates that every year there will be a certain amount of training of reserve officers, and they may be called in for service in reconstruction during the year, and during that time they will be paid. That item was put in there to pay them in that event.

Mr. DYER. Mr. Chairman, I desire to inquire in reference to the Aviation Service, and I move to strike out the last two words for that purpose.

First, I will say that I note that this bill provides for an Army of 28,579 officers. From my calculation and what little I know about the military service—I do not claim to have any special information—I can not figure out how they need that many officers for an Army of that size—28,579 officers for an Army of 509,909 enlisted men. I want to direct the attention of the committee to what I believe is growing up in the Army—the practice of having it top-heavy with officers. A minute ago the inquiry was made by the gentleman from Wisconsin as to

whether there are not now in the War Department, holding strictly clerical positions, commissioned officers in uniform. Of course, we all know that the War Department is full of overflowing at this time with men sitting around in uniform, and in most cases doing very little, if any, work. In fact, they are interrupting the stenographers and taking their time, and they are not doing much work either but entertaining the officers, as a general rule.

Mr. KNUTSON. Will the gentleman yield?

Mr. DYER. Yes.

Mr. KNUTSON. Is the gentleman aware of the fact that a great many bands are being maintained in different places down there that have nothing to do except play for the officers?

Mr. DYER. That may be true. I do not know about that. But, Mr. Chairman, I want to invite the attention of the committee to some figures that I have had prepared by the department itself with reference to the Bureau of Aeronautics.

I do not know whether they have too many officers, but it looks to me as though they have more officers than they need. I think the Committee on Military Affairs, in asking us to vote for an Army of 500,000 men with all of these officers, ought to be able to tell us whether they need all of them or whether or not they think some of them should not be left off.

Mr. SHALLENBERGER. The only information which the Committee on Military Affairs have is that we have a table of organization, and that a certain organization requires a specific number of officers. The statement was made to us by the Chief of Staff that an Army of 500,000 enlisted men, organized under the table adopted by the United States Army, requires exactly that number of officers.

Mr. DYER. I have no doubt the information was given to the committee, but I believe that if the committee will take the trouble to investigate the situation it will find that this is 6,000 or 7,000 more officers than they need for the strength of that sized Army.

Mr. McKENZIE. Will the gentleman yield?

Mr. DYER. Yes.

Mr. McKENZIE. Let me say for the information of the gentleman that we have now in the Regular Army 10,664 officers. These men are permanently in the service. If the House should decline to appropriate for, or to enact this legislation providing for the establishment of officers for an Army of 500,000 men, and stand squarely on the national-defense act they would only provide for 10,654 officers.

Mr. DYER. Then the committee does not expect us to authorize the commissioning of 28,570 officers, but they only ask for the difference between what they have and what they want. Is that the fact?

Mr. McKENZIE. Yes.

Mr. DYER. I think still if you add them up you will find that you have too many officers. Now, with reference to aviation, I have a statement here showing the number of officers and number of men in some of these fields of aviation. I do not know whether the proportion is right or not. I am not a military man, and I know little about it. The gentlemen on the committee are all military men and understand, no doubt, whether there are too many or not. We have a little field over here called the Bolling Field, in Anacostia, where there are 34 officers and 189 enlisted men. Is that too many officers, or should we have an officer for every enlisted man? In Brooks Field, San Antonio, Tex., there are 44 officers to 249 men. Probably at this place there are not enough officers. I would be glad to have the committee investigate and say whether or not we have fields full of officers and whether or not the few men that are being kept there are to give these officers a chance to hold their commissions.

Mr. ANTHONY. Will the gentleman yield?

Mr. DYER. Yes.

Mr. ANTHONY. The gentleman is aware that in aviation most of the fliers are officers?

Mr. DYER. Are not the cadets fliers?

Mr. ANTHONY. Most of the fliers are officers.

Mr. DYER. The gentleman from Kansas is a very well posted man on this matter and I want to ask him a question. Take for instance the aviation general supply depots. Do they fly there?

Mr. ANTHONY. No; I agree with the gentleman that many of these branches are largely over-officered.

Mr. DYER. Aviation general supply depots—they do not do any flying, but they are supposed to look out and guard the little Government property which they have there. Now, down here at Little Rock, Ark., they have, according to the report of the War Department, 17 officers and 274 men. Most of those boys down there, or many of them, are from my home section

of the country. I have had occasion, and others have had, to make inquiries in reference to their discharge, and they tell us that they can not let those boys go under any conditions until they are replaced by men enlisted under the new reorganized Army.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. DYER. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DYER. Now, take this field at San Antonio, Tex. There are 13 officers and 299 men. Los Angeles has 5 officers and 45 men. I do not think there are enough officers there. There ought to be one for every man.

Mr. IGOE. Will the gentleman yield?

Mr. DYER. Yes.

Mr. IGOE. Has the gentleman any information as to the character of the work being done by these enlisted men at Little Rock?

Mr. DYER. They are doing mostly laboring work. As I understand it—I may be misinformed—but my information is that they are not doing any work except to look after and guard the property, clean up the grounds, and so forth, that the Government has there. They keep them there for that purpose only. The Government could hire laborers for that purpose. I do not know what else they are doing and why they are keeping them there is a question, unless it is to keep these officers in their positions. These men did not enlist for doing laboring work, but to fight the Germans.

The table I have here shows that at all these fields they have a total of 4,330 officers and 34,859 enlisted men. In other words, there are aviation fields of all kinds, including supply depots, where they are guarding property—soldiers working as common laborers—air-service depots, schools of military aeronautics, and so forth; at all of them they have an average of one officer to six men.

I ask the chairman of the committee or any other member of the committee if that is not too few officers for so many men? Only one officer is provided for each six men in the Bureau of Aeronautics. Should they not have more officers there?

Mr. DENT. I did not quite catch the question.

Mr. DYER. The table I have here of the Bureau of Aeronautics shows that in all the depots and stations and flying fields scattered throughout this country, there are 4,330 officers, 1,644 cadets, and 24,859 enlisted men. That provides one commissioned officer outside of the cadets for every six enlisted men. Are there enough officers in the Bureau of Aeronautics? Should there not be one officer for every enlisted man?

Mr. DENT. The gentleman from Missouri knows that this whole paragraph is comparatively a new proposition in this country. I can not tell the gentleman whether that is too many men or not. He can answer the question just as well as I can.

Mr. DYER. Let me ask the gentleman about lines 7 and 8, which have just been read. It is provided there that for aviation increase there shall be \$1,000,000 appropriated. Why is it necessary to vote an increased amount of money? What is the necessity for that?

Mr. DENT. I will ask the gentleman from Nebraska [Mr. SHALLENBERGER] to answer that question.

Mr. SHALLENBERGER. Mr. Chairman, the military law provides that aviators who fly and are commissioned as military aviators, shall receive 25 per cent additional pay, because of the hazard of flying, and this million dollars is supposed to take care of that additional pay.

Mr. DYER. Can the gentleman tell me in how many fields in the United States now there is any flying going on?

Mr. SHALLENBERGER. The law would not be affected by that proposition anyway. I could not tell the gentleman. I presume that flying is going on more or less in all of the fields.

Mr. DYER. If we are going to increase the pay of those who fly, we ought to know whether anybody is flying.

Mr. SHALLENBERGER. When a man is once commissioned as a military aviator he receives his pay just the same as he would receive the pay if commissioned as any other officer.

Mr. DYER. Mr. Chairman, I do not want to be understood as offering any criticism of the Bureau of Aeronautics or the War Department or the Committee on Military Affairs of the House. Like a great many other Members I have very little information about military matters. We are called upon to vote for these appropriations and for increases in the Army, and we ask for information from the War Department and get figures showing that in this bureau concerning which the item has just been read there is one officer now commissioned for every six enlisted men.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. DYER. Mr. Chairman, I ask for five additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DYER. I have asked for information as to what these fields are costing the Government at this time to maintain. Figures at Love Field, Tex., show that the cost per month now, since the armistice was signed, amounts to \$100,312.72. They have there 50 officers and 700 enlisted men. I do not know whether they are doing any flying or not. Park Field, Tenn., is another one of these fields, but they do not give us the number of officers and men. I do not know why. Perhaps it is because of the comparison, which is worse than the one given above. The cost of maintaining Park Field, Tenn., to-day, since the armistice was signed, with a very few men, amounts to \$94,856.48. They say they have 75 planes at Park Field, 75 at Love Field, and out in California, at Mather Field, where they have 75 planes, it is costing the Government \$96,710.22 a month for operation. I call upon gentlemen representing those States to tell me whether or not in these days, when we are passing these enormous tax bills, they think we are justified in calling on the people, who are almost paying with blood these taxes, to maintain these expensive fields, where they have 50 officers to 700 enlisted men. Mr. Chairman, it is my judgment that there ought to be some investigation and inquiry by the Committee on Military Affairs to inform the House as to the Bureau of Aeronautics, whether they are operating economically now, as well as the other divisions of the War Department. We ought not to be asked to appropriate money with our eyes shut and with no information as to the needs touching these important matters.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. DYER. Yes.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. DENT. Mr. Chairman, I ask for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DENT. The gentleman from Missouri understood that my request was that both the paragraphs here in regard to aeronautics should go over until the conclusion of the bill.

Mr. DYER. Yes.

Mr. MOORE of Pennsylvania. Would not the gentleman let this go over also?

Mr. DYER. I was addressing my remarks to lines 7 and 8, where it provides for aviation increase, believing that in view of the facts that I have received from the Bureau of Aeronautics in the last two days we are not justified in voting that increase for the pay of officers. How many officers there are in Washington sitting around at desks I do not know, but in the camps, in the field there is one officer for every six men, and they are keeping the enlisted men there to do laboring work and will not discharge them.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DYER. Yes.

Mr. MOORE of Pennsylvania. The gentleman makes the point that we are overofficered in the Army?

Mr. DYER. Yes.

Mr. MOORE of Pennsylvania. And it may be due to that fact that there is so much hesitancy in discharging the men who serve under those officers.

Mr. DYER. That is my judgment.

Mr. MOORE of Pennsylvania. The inference being that the officers would like to remain and hold their jobs, and therefore they do not like to lose the Army.

Mr. DYER. That seems to be the trouble with the aviation camps. I am seeking light on the subject.

Mr. SHALLENBERGER. This million dollars to which the gentleman is objecting, as I have endeavored to state, is a matter fixed by law. When an aviator has proved that he is entitled to that flying pay, he gets it. If he does not prove that he is a flyer, he does not get it.

Mr. DYER. There is money already available for paying aviators.

Mr. SHALLENBERGER. There is no money available for that extra pay unless you put it in the bill.

Mr. DYER. Have they not been paid all of the time?

Mr. SHALLENBERGER. They have been paid by an item carried in the general appropriation bill, the same as we are doing here.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. DYER. Mr. Chairman, I include the memorandum referred to and furnished me yesterday by The Adjutant General of the Army, as follows:

Distribution of officers and men, Division of Military Aeronautics, week ending Jan. 30, 1918.

	Officers.	Cadets.	Enlisted men.
Flying fields:			
Bolling Field, Anacostia, D. C.	34		189
Brooks Field, San Antonio, Tex.	44		269
Call Field, Wichita Falls, Tex.	17		212
Carruthers Field, Benbrook, Tex.	43		576
Chanute Field, Rantoul, Ill.	17	1	199
Chapman Field, Miami, Fla.	4		250
Dorr Field, Arcadia, Fla.	24		619
Eberts Field, Lonoke, Ark.	46	3	563
Gerstner Field, Lake Charles, La.	57	1	326
Langley Field, Hampton, Va.	127		668
Mather Field, Sacramento, Cal.	23		455
Payne Field, West Point, Miss.	67	1	755
Rich Field, Waco, Tex.	46	1	409
Selfridge Field, Mount Clemens, Mich.	58		202
Scott Field, Belleville, Ill.	21		203
Souther Field, Americus, Ga.	28		462
Tallaferrero Field, Hickox, Tex.	91		295
Taylor Field, Montgomery, Ala.	49	2	238
Barron Field, Everman, Tex.	78	172	624
Carlstrom Field, Arcadia, Fla.	213	8	1,105
Ellington Field, Houston, Tex.	519	147	2,275
Kelly Field, San Antonio, Tex.	388	316	4,673
Love Field, Dallas, Tex.	94	233	560
March Field, Riverside, Cal.	87	204	601
Park Field, Millington, Tenn.	94	140	559
Post Field, Fort Sill, Okla.	180	120	1,231
Rockwell Field, San Diego, Cal.	275		1,501
Total	2,724	1,349	20,019
Balloon schools and firing centers:			
A. B. S., Fort Omaha, Nebr.	63		1,150
A. B. S., Lee Hall, Va.	34		819
A. B. S., Arcadia, Cal.	76	25	742
Camp John Wise, San Antonio, Tex.	53	6	768
Camp Donphan, Fort Sill, Okla.	2		
Twenty-ninth B. Col., Fort Monroe, Va.	7		198
Camp Jackson, Columbia, S. C.	23		348
Camp Knox, West Point, Ky.	20		335
Camp McClellan, Anniston, Ala.	9		169
Total	287	31	4,534
Insular possessions:			
Panama, Seventh Aero Squadron	13		91
Hawaii, Sixth Aero Squadron	13		129
Total	26		220
Schools of military aeronautics:			
University of California, Berkeley, Cal.	5	66	22
Cornell University, Ithaca, N. Y.	10		5
University of Texas, Austin, Tex.	23	156	51
Total	38	222	78
Provisional wings:			
First Provisional Wing, Mineola, Long Island, N. Y.	106		541
Second Provisional Wing, Houston, Tex.	22		267
Total	128		808
Air Service depots:			
Garden City, Long Island, N. Y.	453		1,899
Morrison, Va.	15		431
Total	468		2,330
Aviation general supply depots:			
Americus, Ga.	10		318
Buffalo, N. Y.	6		151
Dayton, Ohio	4		150
Detroit, Mich.	14		150
Houston, Tex.	7		132
Little Rock, Ark.	17		274
Los Angeles, Cal.	5		45
Middletown, Pa.	18		602
Richmond, Va.	10		199
San Antonio, Tex.	13		269
Wilbur Wright, A. S. D.	71		2,124
Total	175		4,414
Department depot squadrons:			
General Department, Chicago, Ill.	3		75
Eastern Department, New York, N. Y.	3		81
Southern Department, Fort Sam Houston, Tex.	2		5
Southeastern Department, Charleston, S. C.	2		4
Western Department, San Francisco, Cal.	2		
Total	12		165
Radio schools:			
Columbia University, Radio, N. Y.	11	27	14
Penn Field, Austin, Tex.	15		63
Carnegie Institute of Technology, Pittsburgh, Pa.	8		22
Total	34	27	99
Ports of embarkation:			
New York, Hoboken, N. J.	14		34
Newport News, Va.	1		7
Total	15		41

Distribution of officers and men, etc.—Continued.

	Officers.	Cadets.	Enlisted men.
Aviation repair depots:			
Speedway, Indianapolis, Ind.	50	15	454
Dallas, Tex.	22		490
Montgomery, Ala.	27		513
Total	99	15	1,457
Miscellaneous:			
Aberdeen (Md.) Proving Ground	19		310
Camp Alfred Vail, Little Silver, N. J.	1		6
St. Paul, Minn.	40		40
Detroit, Mich., Fort Wayne	16		261
Washington, D. C., O. D. M. A.	278		77
Total	354		694
Recapitulation:			
Under control of training section	3,237	1,629	25,758
Under control of supply section	1,093	15	9,101
Total in United States	4,330	1,644	34,859

Estimated monthly expenditures since Nov. 11, 1918.

LOVE FIELD, TEX.		
Motor transportation		\$2,166.66
Rental of grounds		379.25
Maintenance of buildings		5,666.66
Maintenance of equipment, planes, engines, and shops		7,000.00
Pay of officers (50 officers)		7,950.15
Pay of enlisted men (700 enlisted men)		30,850.00
Subsistence (700 enlisted men)		10,500.00
Gasoline, 90,000 gallons—10 gallons per hour, 4 hours per machine per day		31,500.00
Oil, 9,000 gallons—1 gallon per hour, 4 hours per machine per day		6,300.00
		102,312.72
PARK FIELD, TENN.		
Motor transportation		1,666.66
Rental of grounds		756.34
Maintenance of buildings		500.00
Maintenance of equipment, planes, and shops		4,833.33
Pay of officers		7,950.15
Pay of enlisted men		30,850.00
Subsistence		10,500.00
Gasoline, 90,000 gallons—10 gallons per hour, 4 hours per machine per day		31,500.00
Oil, 9,000 gallons—1 gallon per hour, 4 hours per machine per day		6,300.00
		94,856.48
MATHER FIELD, CAL.		
Motor transportation		2,166.66
Rental of grounds		.09
Maintenance of buildings		4,166.66
Maintenance of equipment, planes, and shops		3,276.66
Pay of officers		7,950.15
Pay of enlisted men		30,850.00
Subsistence		10,500.00
Gasoline, 90,000 gallons—10 gallons per hour, 4 hours per machine per day		31,500.00
Oil, 9,000 gallons—1 gallon per hour, 4 hours per machine per day		6,300.00
		96,710.22

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the paragraph, unless the gentleman will consent to have it go over and be considered with the other aviation paragraphs. I take it that this paragraph, increase of aviation officers, Signal Corps, \$1,000,000, is in anticipation of the two \$1,000,000 appropriations that have gone over for further consideration?

Mr. DENT. I do not think this has anything in the world to do with it.

Mr. SHALLENBERGER. This is pay fixed by law for aviators.

Mr. MOORE of Pennsylvania. They are already in the service?

Mr. SHALLENBERGER. They are commissioned as aviators. They do not get this pay unless they prove they are competent military aviators.

Mr. MOORE of Pennsylvania. This \$1,000,000 is to pay men who are already enlisted?

Mr. SHALLENBERGER. For the extra hazard of flying.

Mr. MOORE of Pennsylvania. And not in anticipation?

Mr. SHALLENBERGER. No; the gentleman is correct.

Mr. MOORE of Pennsylvania. Mr. Chairman, I withdraw the motion and move to strike out the last word. There is a great deal in what the gentleman from Missouri [Mr. DYER] said a moment ago about these aviation fields in Texas. I have been getting considerable information on that line also,

¹ 75 planes.

and had some difficulty in getting enlisted men released because the officers were obliged to keep an army in order to hold their status. Some of the tales which have been brought up from the Texas camps remind us of Hoyt's pretty comedy, "The Milk White Flag," where every man who came into the club and who drank Scotch was an officer, and only one private held the army of officers together. We are all in sympathy with what the Army as a whole has done and is trying to do, but when the mothers and the wives of our soldiers are crying out for them to return to their duties at home, and we find in many cases that some lieutenant or captain or major who desires to remain in the service in spite of the fact that the Government is incurring the greatest burden ever imposed upon it in all history, is standing in the way to hold down his job, we have reason to complain. If this were a new appropriation, contemplating new service, I certainly would move to strike it out, because, as I indicated the other day, in my judgment the time has come to stop these excessive appropriations for maintaining new and expensive establishments for war, now that we approach a time of peace.

Mr. DENT. May I interrupt the gentleman?

Mr. MOORE of Pennsylvania. Yes.

Mr. DENT. The gentleman voted for the conscription bill?

Mr. MOORE of Pennsylvania. I did.

Mr. DENT. And you have got that Army?

Mr. MOORE of Pennsylvania. Yes.

Mr. DENT. And you have got to get rid of that Army?

Mr. MOORE of Pennsylvania. Yes.

Mr. DENT. Will the gentleman suggest any way by which we can get rid of it more rapidly than the War Department is doing?

Mr. MOORE of Pennsylvania. I have been thinking over that very seriously, and, after reading the testimony taken by the Senate committee yesterday with regard to the barbarity of certain American officers, shame upon them, those of their kind, who have no regard for the flesh and blood of the sons of America! I would go so far as to impeach some of those in power [applause], and as one Member of Congress I pledge myself to keep an eye upon this situation, so that we may say to human brutes, those who are parading in the uniform of the United States, that we shall take them by the neck, even as they have taken our soldier-citizens—

Mr. DENT. I agree with the gentleman.

Mr. MOORE of Pennsylvania. And, if need be, incarcerate them or give them the same kind of punishment they have been dealing out to these helpless men, these true, courageous young Americans whose lips have been shut because of military restrictions, and who will have no voice against inhuman treatment until the President proclaims peace or until they are discharged and can tell their Members of Congress what happened to them under a system which seems to have prevailed under the direction of certain brutal commanders. [Applause.] Of course, I do not say that this spirit of brutality, this inconsiderate autocracy, prevailed throughout the Army of the United States—that would be unfair and unjust—but I do say that when I voted a boy into the service of the United States through the conscription bill I did not vote him into voluntary slavery where he would be so controlled by the fellow who happened to be temporarily in command. I voted him into the service for his flag and for his country, where I expected the man in control, the man who wore the shoulder straps, to respect the sentiment and traditions of the United States and to give that boy a fighting chance. [Applause.]

Mr. LAZARO. Will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. Yes; I yield to my friend from Louisiana.

Mr. LAZARO. I fully agree with the gentleman from Pennsylvania that officers who illtreat soldiers in the service ought to be punished.

Mr. MOORE of Pennsylvania. I am glad the gentleman indorses—

Mr. LAZARO. I also agree with the gentleman when he says the boys ought to come home as soon as possible. Now, the question I want to ask the gentleman is this: The gentleman voted for war and for the draft, did he not?

Mr. MOORE of Pennsylvania. Yes; because the President asked for it and said it was necessary to have our support.

Mr. LAZARO. Was the gentleman right in voting for war and for the draft?

Mr. MOORE of Pennsylvania. I would not have voted for it if it had not been right.

Mr. LAZARO. Is the war over?

Mr. MOORE of Pennsylvania. It is not—legislatively.

Mr. LAZARO. What is the gentleman's judgment as to what our duty is over there as to bringing the men back?

Mr. MOORE of Pennsylvania. Let me ask the gentleman this: The gentleman and those who think as he does have an idea that they will put the "gentleman from Pennsylvania" on the rack by an interrogation like that. Let me ask the gentleman from Louisiana if he sat in a committee day by day, where he observed that as boys were being held in the ranks to bolster up the financial and internal differences of other nations while his own country was being gutted of its resources, would he stand for keeping American soldiers over there, or would he attempt to get them back to their own country to attend to their own business? What would he do under the circumstances? Would he stand for his own country or for the chimera of a world democracy?

Mr. LAZARO. Will the gentleman permit me to answer his question now?

Mr. MOORE of Pennsylvania. Of course.

Mr. LAZARO. I would not keep a boy in the service a minute longer than is necessary; but after having voted for the war and a draft I would not slander my Government and the War Department until this thing was settled right.

Mr. MOORE of Pennsylvania. If the gentleman thinks I am slandering the War Department when I pick out human brutes in it, the gentleman is shooting over the mark. If an officer—a whisky-soaked colonel, for instance, having the American flag wrapped around him and with all the protection it affords him in a foreign clime—deliberately sends young men to the front under circumstances that mean certain death, while he runs to the rear, and then refuses promotion to those who were brave enough to do their duty, I think we might take that colonel to task. Or if good officers are held back and incompetent—

Mr. LAZARO. I would go as far as the gentleman—

Mr. MOORE of Pennsylvania. Then the gentleman would go as far as impeachment when the times comes?

Mr. LAZARO. I would certainly do so.

Mr. MOORE of Pennsylvania. I would not stop at the lieutenant over there, but I would go right up the line.

Mr. LAZARO. But I do not believe in indicting the whole Government or the War Department because some man does not do his duty.

Mr. MOORE of Pennsylvania. Neither do I, and I have not done so. The gentleman, however, seems afraid to criticize. I am not afraid, and I will continue to do it when I think it proper in justice to the fighting man.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, we are under the general subject of the pay of officers of the Army, which is followed by the pay of enlisted men of the Army, two items containing a number of different paragraphs each. I would like to get a little information, if I can, upon what basis the appropriations proposed in the bill are made. What is the size of the Army as to officers on which is based \$36,000,000 of an appropriation for line officers, \$31,000,000 for staff and department officers and various other officers, and \$137,000,000 for pay of enlisted men of the line and \$61,000,000 for enlisted men of the staff corps and departments?

What is the basis as to the size of the Army and the number of officers and enlisted men upon which this appropriation is founded? Is it contemplated that there will have to be a large deficiency in the end to supply deficiencies in the pay?

Mr. DENT. I will state to the gentleman, as I thought I stated in the report and in my opening speech—

Mr. MANN. I read the report and the gentleman's statement on the floor—

Mr. DENT. That there are to be 28,579 officers and 509,909 enlisted men.

Mr. MANN. Very well. Let us see. No one pretends, so far as I can learn—and I will be glad to be advised differently—that the Army will be reduced to the number of 28,000 officers and 509,000 men by the 1st of July.

Mr. DENT. That is true.

Mr. MANN. Well, then, if the appropriation proposed is based upon an Army of 28,000 officers and 510,000 enlisted men for the next fiscal year, and you have more than that at the beginning of the fiscal year, one of two things is quite evident—either that you will not appropriate money enough, or there will not be this number of officers and men at the end of the fiscal year.

Mr. DENT. That is very true, and that is the theory upon which the War Department has suggested that we make this appropriation.

Mr. MANN. Ah, not at all. Let us see if that is correct or not. If it is conceded that at the beginning of the fiscal year in the demobilization of the Army you will have more than 28,000 officers and more than 510,000 enlisted men, then if you are going to make this appropriation sufficient you could not

have that many at the end of the year, and hence ought not to provide for that many at the end. If the Army is to be reduced, so that in the course of the fiscal year 1920 the average of officers shall be 28,000 and the average of enlisted men shall be 510,000, as is suggested by the appropriation offered, then there is no need of authorizing that number of officers and men to be in the Army at the end of the year, and yet that is what the legislative provision of this bill does. Now, how many officers and men are expected to be in the service at the end of the fiscal year?

Mr. DENT. Of course, nobody can answer that question.

Mr. MANN. Well, somebody has answered it by making an appropriation here which they say is sufficient. Of course, it may be a guess, but it is, nevertheless, an answer. Here is an appropriation based upon an average of 28,000 officers and 510,000 enlisted men. Now, we know that there will be more than that to begin with, and if there are more than that to begin with, the appropriation assumes that there will be less than that to end with. Now, it does not need an authorization to cut off a lot of the officers now in the Army and then gradually to have that number at the end of the fiscal year. It does not need this authorization to have them at the beginning of the fiscal year.

What I want to know is what is the proposed size of the Army? The two parts of this bill do not agree. If we are to have an Army with 28,000 officers and 510,000 men authorized and then fill the Army full, they will have that number at the end of the fiscal year, in which case the appropriation here is not sufficient. Hence, it is not a candid statement to the House. It would lead the House to believe that appropriations are being made here that will be sufficient to cover the expenses of the Army when it is supposed that it will not be sufficient in another provision of the bill.

Mr. HARRISON of Virginia. Mr. Chairman, will the gentleman allow me to answer?

Mr. MANN. Yes. I am trying to get information from some gentleman who knows.

Mr. HARRISON of Virginia. You will understand that 500,000 enlisted men and so many officers are to be made up of voluntary enlistments. The men now in the service go out of it.

Mr. MANN. I understand all that.

Mr. HARRISON of Virginia. Now, here: As soon as the men are enlisted under the voluntary enlistment the officers are called into the service, and not until then.

Mr. MANN. Oh, the officers are already in the service.

Mr. HARRISON of Virginia. No; you are mistaken.

Mr. MANN. They will have to be reappointed; but that is not material.

Mr. HARRISON of Virginia. Under the voluntary enlistment plan, just as these men volunteer and are taken into the Army the officers are furnished to furnish that Army. This is providing for the volunteer Army after the men now in the service are discharged by the expiration of their enlistment. Of course, you can not tell how many you have at the beginning of that period.

Mr. MANN. You can tell how many you authorize.

Mr. HARRISON of Virginia. We authorize 500,000, and they are to be got just as fast and as rapidly as they can be got.

Mr. MANN. Then the gentleman will admit that if we get 500,000 the appropriation here is not sufficient to pay them?

Mr. HARRISON of Virginia. Yes; because we can not go beyond 500,000.

Mr. MANN. The gentleman knows that there will be more than 500,000 at the beginning of the fiscal year.

Mr. HARRISON of Virginia. Not at all.

Mr. MANN. If the gentleman does not know that, he is not so well informed as I supposed he was.

Mr. HARRISON of Virginia. Let me call the gentleman's attention to the fact that this is providing for the voluntary enlistment after the men in the Army now are discharged.

Mr. MANN. This bill provides for the period after this bill passes. It will be long before the Army now in existence is discharged. If they are discharged, they will never reenlist. The purpose of this bill is to induce men now in the service to enlist instead of being discharged—a proper purpose, I think. The gentleman knows that, although that is wholly beside the question that I raised.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. I do not often do it, but I will ask for five minutes more, to see if I can get the information or the defense of the committee.

Mr. SHALLENBERGER. Mr. Chairman, will the gentleman yield to me?

Mr. MANN. Certainly.

Mr. SHALLENBERGER. I think the error or disagreement, rather, in the interpretation of this bill has arisen from the fact that the War Department based their estimates upon one proposition, and the committee is asking an appropriation upon another idea.

Mr. MANN. I think very likely that is the case; but both propositions, which are conflicting, are carried in the bill.

Mr. SHALLENBERGER. The War Department came with a proposition asking for 509,000 enlisted men and twenty-eight thousand and odd officers, as the gentleman from Alabama [Mr. DENT] has stated, and asked for that number of men, with that program for a permanent organization. The committee did not see fit to grant that.

Mr. MANN. In the appropriation.

Mr. SHALLENBERGER. In the appropriation.

Mr. MANN. But they did in the legislation?

Mr. SHALLENBERGER. They did, in a certain way, in the legislation.

Mr. MANN. That is what I am calling attention to.

Mr. SHALLENBERGER. The statement of Gen. Lord in the hearing is very definite. Asked if this appropriation was to pay for the Army in this country, he stated that it was. Asked if there would have to be provision for the Army that is now enlisted in Europe, if we did appropriate this money, he answered that this bill did not provide for the payment of the Army overseas, and he said:

If a larger force than 500,000 men are kept in service here or overseas, it means that there will be a deficiency later.

Mr. MANN. Now, let me make a remark in passing. The distinguished gentleman from Nebraska reads from the hearings before the committee, but he knows, and I know, that perhaps that is not what the officer stated before the committee, because these gentlemen who testify before the Military Committee have their testimony written up and sent to the War Department, and there it is gone over and censored. It never comes to the House the way it is given before the committee. They assume the right in the War Department to cut out what they do not like. After an officer has stated frankly before the committee what he knows, they do not permit it to go into the printed hearings unless somebody in the War Department wants it to go into the hearings. They assume the right to cut out what they do not want known publicly, a practice which ought to be frowned on and forbidden. But that is in passing. Nobody denies it.

Mr. DENT. That is done with every committee.

Mr. MANN. No, sir; not on your life, it is not. I have had experience enough in committees to know that that is not the case or the practice.

Mr. SHERWOOD. Will the gentleman yield?

Mr. MANN. I yield to the gentleman from Ohio.

Mr. SHERWOOD. With 28,000 officers for 500,000 men, how many men will that be to an officer—about 1 officer to 16 men?

Mr. MANN. That is a mere matter of computation. Probably the gentleman from Ohio knows how many officers they need. I do not know; but I want to know whether the committee is correct when I hear repeated statements made on the floor of this House that the committee is basing its appropriation and its authorization upon an average army of 500,000 men. That is what the appropriation is, but the legislation proposes not an average army of 500,000 men but an army at the end of the year of 510,000 enlisted men and at the beginning of the year of over 2,000,000 men. It makes a great difference.

Mr. DENT. If the gentleman will permit an interruption, I will state that if the legislative feature means that, then I am not in favor of it.

Mr. MANN. That is what the legislative feature means, as it seems to me, and it certainly says that. Why, the legislative feature authorizes the enlistment of 510,000 men to serve for a year. After they have raised that number you can not cut it down to less at the end of the year. Now, it may be desirable—I do not undertake to say—to have an army of 500,000 or 1,000,000 men at the end of the fiscal year 1920, but I never like to have my intellect imposed upon. I would like to know what we are doing while we are at it; and when they say in an appropriation bill, "We will appropriate so much money, which will cover the whole expense," and anybody with a pencil and paper can figure in a moment's time that it will not cover much more than half the expense, then I want to know about it. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For pay of the officers, Philippine Scouts, \$624,004.

Mr. FIELDS. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FIELDS: Page 16, at the end of line 9, insert:

"Provided, That no part of the funds herein appropriated shall be applied in payment of the salary of any officer of the Army of the United States who shall promulgate or cause to be promulgated any order prohibiting social intercourse between officers and enlisted men of the United States Army while not on military duty, or that will in any way establish or attempt to establish social or class distinctions between officers and men or between officers of different ranks while not on military duty: *Provided*, That this limitation shall not apply to an officer whose only connection therewith is in obedience to an order of a superior officer."

Mr. DENT. I reserve a point of order on that.

Mr. MANN. I suggest to the gentleman that he offer that amendment at the end of the pay provision, instead of right following the Philippine Scouts.

Mr. FIELDS. I have inquired of some gentlemen who are better parliamentarians than myself, and they suggested that at the end of the pay of officers was the proper place, because it applies to officers only.

Mr. MANN. It might be all right there, but the gentleman does not offer it at the end of the pay of officers.

Mr. TILSON. If the gentleman will turn to page 22, he will find a basket clause, which puts into one fund all the pay of the Army, and that seems to me to be the proper place. It says there:

All the money heretofore appropriated for pay of the Army and miscellaneous, except the appropriation for mileage to commissioned officers, contract surgeons, expert accountant, Inspector General's Department, Army field clerks, and field clerks of the Quartermaster Corps, when authorized by law, shall be disbursed and accounted for as pay of the Army, and for that purpose shall constitute one fund.

If the gentleman wishes to offer his proviso at that point, it would cover all the pay items.

Mr. FIELDS. Mr. Chairman, at the suggestion of the gentleman, I will withhold my amendment until we reach line 11, page 22, of the bill.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to withdraw his amendment. Without objection, that will be done.

There was no objection.

Mr. STEAGALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STEAGALL. I desire to offer an amendment to require the discharge of the men in the Army who prior to entering the Army were engaged in agricultural pursuits or on the farm, who make proper application for discharge on that ground. Would that sort of an amendment be in order if offered as a portion of the legislative portion of this bill?

The CHAIRMAN. The Chair can not answer that question under a parliamentary inquiry.

Mr. WINGO. I suggest to the gentleman that he attach it to the seed item in the bill.

Mr. STEAGALL. I want to know if I will lose the right to offer that amendment if we pass this portion of the bill?

The CHAIRMAN. The Chair can not undertake to answer that on a parliamentary inquiry.

Mr. McKENZIE. Mr. Chairman, the gentleman from Illinois raised an interesting question in his discussion in regard to the number of men appropriated for in this bill. It is a matter that gave the members of the committee a great deal of difficulty in trying to arrive at some satisfactory conclusion. I want to read a few paragraphs from the hearings, so that you can get the idea that the members of the committee were thinking about this matter. Gen. Lord was before the committee, and I asked him this question:

Mr. McKENZIE. Do you think we could properly provide an appropriation for a very much smaller Army in this country than 500,000 men, estimating on the pro rata basis you use, and then in addition make a lump-sum appropriation providing for the payment of men and officers in Europe? And use so much thereof as may be necessary. Would that be a proper thing to do if the committee saw fit to take that course?

Gen. Lord. That is, provide definitely for a fixed number—

Mr. McKENZIE (interposing). In this country.

Gen. Lord. And then provide for a contingent appropriation which shall be expended only for the particular purposes you enumerate, and that only such portions as were absolutely required by law for those purposes shall be expended?

Mr. McKENZIE. Yes. That would accomplish two things, the way I reason it out. First, it would limit the size of the Army in the country and require demobilization. Second, it would avoid bringing in a deficiency appropriation in order to take care of our troops in Europe. Would either of those purposes, in your judgment, meet with your approval?

Gen. Lord. I do not think I would wish to express approval or disapproval of a proposition of that sort.

Of course the general, knowing conditions in the War Department, declined to give the information on that subject. I

want to say frankly to the Members of the House in regard to the question raised by the gentleman from Illinois that the Staff of the Army asked, hoped for, and desired that we fix the number of officers in the Regular Army for peace times at 28,579, and that we can provide for as many men as we see fit; but that number of officers will take care of an Army of 500,000 men.

The committee, in struggling with this proposition, fully realized that the country does not favor an Army of 500,000 men in peace times, and the members of the committee not favoring that proposition have undertaken in some way to provide temporarily for this force of 500,000 men, which they contend are necessary for the number of officers to take care of such an Army. But for one member of the committee, and I think I express the sentiments of the majority of the committee, we have undertaken, and I hope we have, such language as will limit the number of officers of the Regular Establishment to 10,664, the number now in the Regular Army as permanent officers of that establishment. If we have not, I am ready to take the suggestion of the gentleman from Illinois, or any other man in this House, who can bring to this committee any proposition that will make this subject so clear and definite that there will be no mistake as to what we are doing, so far as the size of the Army is concerned.

Mr. KAHN. Mr. Chairman, I move to strike out the last word. The Secretary of War came before the committee, as I now recall, in the early part of January and suggested that we would require an average army of 500,000 men for the fiscal year 1920 to keep up our engagements with foreign countries who cooperated with us in the war, and protect such fronts as are required to be protected, and for the forces needed in our insular possessions and the mainland of the United States.

The chairman of the committee and other members of the committee frequently called upon the officials of the War Department to prepare for the committee a complete statement and an estimate of what was required for the coming fiscal year. There was delay and delay and delay, and it was not until about the middle of January when we began to receive the estimates from the department. At that, the information that we received was exceedingly meager and indefinite. The committee spent hours in trying to arrive at results from the meager information we had. The committee discussed the matter of the size of our Army for the next fiscal year. It was the consensus of opinion that we ought to allow the War Department to have the 500,000 men they asked for, but only as a temporary force. Finally, I suggested to the committee that we raise such a force as the national-defense law authorized—that is, 175,000 men in peace times under the provisions of that law. That is to say, they could enlist volunteers for three-year periods of enlistment with the Regular Army to the extent of 175,000 men. The other soldiers who might be necessary to round out the number of volunteers to 500,000 could be brought into the service by volunteering under the act of May 18, 1917. I went to two men, one an active officer of the Army and another a retired officer of the Army, and told them of the suggestion. I do not think there are two men in this country familiar with military affairs who are better qualified to draft military legislation. After I had explained what I thought was the wish of the committee, the provision as we have it in the bill, or part of it at least, was drafted by one of those two officers. It was thereupon that the committee finally agreed to that provision of the bill. I think there is no difference of opinion in the committee as to what the language does. In my opinion it will be impossible to raise at any time in this country an army of 500,000 men by volunteering. I do not think it is possible to raise such an army.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. MANN. If it is not possible to raise it, what is the necessity for authorizing it by legislation?

Mr. KAHN. Simply this: We will have to have a certain number of men to perform our share of the work of policing the German front for some time to come. It is the desire to bring home those men who are over there under existing laws as speedily as possible. To take their places we want volunteers. We feel that probably 200,000 or 300,000 of the men who are now on the other side of the ocean will volunteer to remain over there until this emergency is seen through, but I doubt whether we can get more than that at any time by this legislation.

Mr. MANN. If we can not get more than 200,000 or 300,000 enlisted men, is there any need of authorizing the larger number, and will there be any difficulty in getting any number of officers that we authorize, no matter if we make it 150,000?

Mr. KAHN. Oh, you can get all of the officers you want; there is no doubt about that. But under the provisions of this

rider you can not appoint an officer to command until you have the men. That is one of the provisions of this legislation. It may be that we will get the entire number by volunteering. I have my doubts; but in the meantime you have got to provide their pay in this legislation, because it will be impossible to bring back from France enough men within the next two or three months to reduce the number we have over there below 1,200,000 men; and you have got to pay them in the next fiscal year. You will have to pay large numbers of our men for some time to come. We hope finally to get down to a low number of men, and the average will be about 500,000 for the year.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes?

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. If I may pursue the inquiry a little further, if the average is to be 500,000 men, and if the War Department is correct in assuming that it will have at least a million men in the service on July 1, and I think they are very much lower than what the number will be, is there any need of having 500,000 men on that basis at the end of the fiscal year; and if it is not expected to have them at the end of the fiscal year, is it desirable to authorize one-year enlistments for the whole number?

Mr. KAHN. The Secretary of War, as I recall, told the committee that the average would be 500,000 men during the fiscal year, and that the pay of that average will be about the amount provided in this bill. It may be that we would not be able to continue our work on the other side at all unless we allowed volunteers to remain over there, because undoubtedly under the law of June 15, 1917, known as the Stone amendment, the War Department is bound to bring back to this country within four months after the definitive terms of peace have been agreed upon, all the men we have on the other side.

Mr. MANN. I would like to ask a further question, and I have not been able as yet to get any gentleman to frankly answer my question.

Mr. KAHN. I want to answer it frankly, if I can.

Mr. MANN. I know the gentleman does, but the gentleman knows so much about the subject, and so much more than I do, that he gets off on something that I do not understand. The War Department in making its request to the Committee on Military Affairs said it based its request for the amount of appropriation upon the average of 500,000 men in the Army, and that it based its request upon the supposition that during the last three months of the fiscal year there would be only 200,000 enlisted men. If that be the case—

Mr. KAHN. Two hundred thousand?

Mr. MANN. Two hundred thousand; I hold the figures in my hand.

Mr. KAHN. Yes; but they would be drafted men.

Mr. MANN. Any kind of men in the Army, enlisted or drafted men, whatever you call them. If the Army is to be only 200,000 men a year from the coming April, what is the necessity of authorizing the enlistment of 510,000 men to serve for not less than a year?

Mr. KAHN. Mr. Chairman, the only reason that I can give the gentleman is this: That during part of that time there will probably be many more than 200,000 under the flag of the Union, and that finally, at the end of the fiscal year, there will be only 200,000, but in order to carry out the plans of the department it will be necessary at the beginning of the fiscal year to have many more than 1,200,000 men.

Mr. MANN. Mr. Chairman, I think all of the members of the Committee on Military Affairs are so well posted about the provisions of this bill that they naturally confuse the appropriations and the legislative provisions. No one has as yet proposed to reduce the amount of the appropriation, which is based upon an average of 500,000 men, but if that is to be the pay for the Army and it is not to be supplied by a deficiency, what I want to get at is the necessity for authorizing an enlistment of 510,000 men to be in the service at the end of the year, when the appropriation is based on only 200,000 at that time.

Mr. TILSON. Mr. Chairman, I believe that I can give a little information there, or at least my idea on one point. If we proceed now to enlist a number of men toward this 500,000, their one year would run out long before the end of the fiscal year 1920, and it may be that we shall never get the 500,000 here authorized. Now, there may be a number of drafted men or enlisted men who will serve beyond the 1st of July. We shall not be able to bring all of them home or to have other men take their places until after the 1st of July, 1919, and they will have to be paid out of this appropriation. If we get only a part of

the full strength of 500,000, they will help make up the average. If we could get the 500,000 to-morrow or the day after this bill is passed, then having the 500,000 men, we should gradually discharge them as their time runs out and thus average up to 500,000 for the whole year and—

Mr. MANN. If we could get them to-morrow, which, of course, nobody believes we can—we know we can not get them to-morrow—and if we could get them the day after this bill becomes a law, which will not be before 12 o'clock on the 4th of March, and if we can get 500,000 within 30 days' time, which we know we can not do, what is the use of dealing in such idle terms? Then we would make an Army in excess of the average proposed by the War Department.

Mr. TILSON. We probably would—

Mr. MANN. It certainly would.

Mr. TILSON. Nevertheless we should be in a position so that if the men came forward we would be able to do it, and—

Mr. MANN. Whether the committee admits that the appropriation is not sufficient for the Army we propose to raise, or whether they admit that they propose to raise an army larger than the average of 500,000 men—

Mr. TILSON. No; neither of those, but we propose to be able to raise the entire Army that we have proposed—

Mr. MANN. Then the appropriation is utterly insufficient.

Mr. TILSON. I do not believe that we shall be able to raise that number, but we should be ready if they should come.

Mr. MANN. When you authorize a thing to be done you proceed on the theory that it is to be done as far as appropriations are concerned. If you do not expect it to be done, what in the world is the use of authorizing it? If you do not want it to be done, why do you permit somebody to do it? As legislators we proceed on the theory that when we authorize a department to do something it wants to do it will do it. I do not know whether they will, and nobody else knows.

Mr. TILSON. We have authorized a certain army for many years, and yet we have never had an army up to the authorization. We have paid the Army year after year by appropriations in the Army bill, but we have never made the appropriation sufficient to pay the entire authorized Army, at least not since I have been here.

Mr. MANN. We have frequently refused a large increase of the Regular Army, although it never came quite up to the authorization. We have increased the authorization; we have increased the size of the Regular Army and the number of enlisted men until it comes pretty close to the top.

Mr. TILSON. We have never appropriated pay in full for the authorized strength of the Army.

Mr. MANN. That has nothing to do with this question. We propose now to authorize an army of half a million men, and if we do let us put a provision in here sufficient to pay them.

Mr. TILSON. We propose to authorize such an army, but not a permanent army, only a temporary, stop-gap army.

Mr. KAHN. For one year.

Mr. TILSON. Not over one year.

Mr. KNUTSON. Mr. Chairman, I move to strike out the last two words. I want to ask a question. I would like to ask the gentleman from California if any money this bill seeks to appropriate will be used to pay the present Army and will be used to pay an Army of 500,000 men?

Mr. KAHN. It will pay those men who are in the present Army after the 1st of July, 1919.

Mr. BAER. Will the gentleman yield to me for a question? I would like to ask the gentleman from California—

Mr. KNUTSON. I will yield to the gentleman.

Mr. BAER. If the War Department says that 200,000 are all that are necessary at the end of the fiscal year, why is it necessary to have 500,000 after that? What are you going to do with them—what is the purpose?

Mr. KAHN. We will not have 500,000, because you only enlist for one year, and their term of enlistment will expire at the end of the fiscal year.

Mr. BAER. There are the 200,000—

Mr. KAHN. The 200,000 will be part of that enlisted force. Now, the idea of the War Department is this: The War Department is anxious, just as the committee and membership of this House are anxious, to bring back as speedily as possible the men who are on the other side. In fact we have to bring them back under the Stone amendment—

Mr. BAER. When the treaty is signed.

Mr. KAHN. Four months after the treaty is signed. Now, it is generally believed that it is a physical impossibility to do that because we have not the tonnage. We have not the ships to do it, and therefore it is hoped by this legislation to induce a sufficient number of men over there to enlist by voluntary enlistment, so that the enlisted man will continue a little longer than the

man who has been over there in the drafted Army. The hope is that those volunteers will continue their services to the country till the last man can be brought home. Under the provisions of the bill you can only enlist 325,000 of them for one year; that is, for one year at the latest with the beginning of the next fiscal year.

Mr. COOPER of Wisconsin. Will the gentleman yield for one question?

Mr. KAHN. One moment. I want to answer this question first.

And this Volunteer Army practically goes out of existence, or the greater part of it—that is to say, all in excess of 175,000, who would be enlisted under the—

Mr. KNUTSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KNUTSON. Who has the floor?

The CHAIRMAN. The Chair can hardly say.

Mr. BAER. I am using the time of the gentleman from Minnesota.

The CHAIRMAN. The gentleman from Minnesota had the time, and the Chair understands that he yielded to these other gentlemen.

Mr. KAHN. The gentleman from North Dakota [Mr. BAER] asked me a question, which I was trying to answer.

Mr. BAER. Pardon me; but I asked the gentleman from Minnesota [Mr. KNUTSON] if he would yield the time to me.

Mr. KNUTSON. I gave up the balance of my time. I yielded the rest of it back, Mr. Chairman.

Mr. HUDDLESTON. Mr. Chairman, I want to vote for every dollar that it takes to pay and maintain the soldiers that we have now in Europe and to bring them home. I would like to express the desire that they be brought home as quickly as ships can be provided to bring them. I want to vote to look after those soldiers and take care of them in every way that is desirable, if I am given a chance, but I do not seem to be given a chance under this bill. A cloud of words has been emitted on that point, but I do not think very much can be gathered from what has been said, at least it is not binding on the War Department. We have got to look at the bill to find out what the money is going to be used for, and I am unable to learn from the bill that a single dollar that is appropriated by it is going to pay and maintain our soldiers that are now in Europe.

Now, what are the circumstances under which the bill is drawn? The War Department is asked to estimate for 500,000 men and the necessary officers. This is the new Army that the department desires—the Volunteer Army which they say is to take the place of our boys in Europe. They are asked to make an estimate for this Volunteer Army of 500,000 men, and they go out and they bring in these figures that we have in this bill. And that is all they have estimated for. It is all they had in calculation; it is what the money will be spent for, and that is absolutely everything that there is to it.

As the gentleman from Illinois [Mr. MANN] well says, we must assume that the War Department will do the thing that we are instructing and authorizing them to do by this bill, and that is to proceed to enlist an Army of 500,000 men under the volunteer system. And if they do that thing they will consume every dollar carried by this bill in taking care of that Army, and there will not be a dollar left to take care of our soldiers in Europe. If they do not do that thing, they will evidently do all they can toward it, and will enlist a greater or smaller number—how many I can not tell, and nobody else can. We do know, whether they enlist anybody or not, that we will have 1,200,000 men in Europe at the beginning of the next fiscal year. Only 270,000 soldiers have been brought home since the armistice was signed, over three months ago; and we also know that, proceeding as they have in the past, they will not bring back more than 100,000 to 150,000 men each month hereafter. The average up to this time is not 100,000 a month. That is my understanding. I noticed last month that it was less than 100,000.

Now, if they bring back 150,000 a month it is going to take them eight months to bring back the soldiers we will have over there on July 1, without regard to any more, and it will take an average of two months longer to discharge them out of service. So it will be 10 months that some of these men are going to be in service, without any regard to the new Army.

There is not a man among us who does not know that the appropriation made by this bill is not half enough to pay our soldiers and take care of them in Europe and raise this new Army and transport it over there to take their place when they are discharged. Why, everybody knows that. There is not a Member that will deny that fact. Are we to stultify ourselves and vote for this bill under the pretense of taking care of our

boys in Europe and provide for the new Army when we know it will not half do it? And do we not further know that there is nothing in this bill that requires the discharge of anybody that is in Europe before the expiration of his enlistment under the conscription law? We know that perfectly well, and we know that they will be kept in service, if there is any need for them, until their enlistments do expire under that law. And we know they have got to be paid. Do we contemplate that a deficiency bill will be brought in here for a billion and a half dollars for taking care of our Army in Europe? Is it possible that we propose to pass an Army appropriation bill knowing in our hearts that it is only half enough and that at the next Congress there must be a deficiency appropriation of at least an equal amount in order to take care of the Army?

Mr. HULL of Iowa. Will the gentleman yield?

Mr. HUDDLESTON. I will.

Mr. HULL of Iowa. Does the gentleman know the expectation is that the largest proportion of these enlistments of 500,000 men will come from the men that are at present in Europe, and therefore we simply take and put them in another place?

Mr. HUDDLESTON. Whose expectation is that? It certainly is not mine. I do not think anybody who knows much about the feeling of the boys in Europe, and reads the letters the boys are writing back from over there, that knows the sentiments of the people at home, of the fathers, mothers, and wives that have been bereft during this year and a half—I do not think anybody that understands those sentiments can have any such absurd expectation.

Mr. HULL of Iowa. You want to get the boys back?

Mr. HUDDLESTON. I do, and I want to say to the gentleman that these boys will not reenlist in Europe. It may be if you bring them back here and let them go home and stay a while and see the folks, and when they stay around a while and see that they can not get jobs, as I very much fear they can not, a good many of them will go back in the Army. But the gentleman should not indulge the foolish expectation that these boys, homesick as they are, clamoring to get back, as they are, wanting to see father and mother and sweetheart here in America—do not let anybody cherish the foolish expectation that they are going to consent, for the pittance of a soldier's pay, to stay longer in Europe to police the Rhine, or go into Russia, or on some other wild-goose chase.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. If any man entertains such an expectation, it is time for him to wake up. What have you been taking, gentlemen? What have you been smoking? [Laughter.] Wake up, gentlemen. If you have any such idea, you are in an unnatural sleep, such as would indicate that you have been taking something. [Laughter and applause.]

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. I will.

Mr. DYER. Does the gentleman believe that by this provision a year's voluntary enlistment is meant, or a year more of conscripted service of the soldiers in France?

Mr. HUDDLESTON. I believe that the Army authorities want to conscript the boys in Europe, to make them stay a year longer.

Mr. DYER. I think the gentleman is right.

Mr. HUDDLESTON. I think there is considerable sentiment in certain militarist circles in this country backing up that proposition, and I think it is time for it to be uncovered here in this House. I want to say to you, gentlemen, that if there is such an idea, the plain people of the United States, the fathers and mothers of the boys, are not going to tolerate it.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. DENT. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. The gentleman can move to strike out the paragraph.

Mr. DENT. Very well. I rise in opposition to the proposition. Mr. Chairman, it seems that there is no disagreement among the members of the committee who have been considering this bill as to the proposition that we should proceed to appropriate a sum of money sufficient to support an Army of 500,000 men. I believe I am correct in stating that proposition, after listening to the different remarks that have been made upon this subject. The only question that seems to be disturbing the Members of this House—and we have not yet reached that provision of the bill—is the language in the legislative provision. I have repeatedly stated, and other members of the Committee on Military Affairs have agreed with me, that if the language of the bill was such as to provide for a standing Army of 500,000 men, we would not be in favor of it; that that was not the intention of the committee. Personally in the com-

mittee I thought that the best thing we could do would be to provide for the pay of an Army of 500,000, and then provide for the restoration of voluntary enlistments, and stop.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. DENT. Let me make my statement first, because every time I start to make a statement somebody stops me and asks me a question, and then I never get my statement completed.

Personally those were my views. If we had done that we would have accomplished the purpose that was necessary in order to demobilize the Army during the next fiscal year. The proposition that the committee finally adopted, on the motion of the gentleman from California [Mr. KAHN], which was prepared in the Judge Advocate General's office, I thought could not possibly do any harm. The committee therefore finally agreed to it. That is to have a temporary force, purely by voluntary enlistment—because the language is so plain that he who runs may read—in the event that we needed a larger regular force than was provided for under the national-defense act.

Now, I can not see, to save my life, how any harm can be done in providing that men may voluntarily enlist in a temporary force which shall not exceed a certain number of men. You can not get that number unless the men are willing to enlist. I can not see how any harm can be done if we adopt the method of the gentleman from California, although my own view was that if you appropriated for just an Army of 500,000 men and provided for the restoration of voluntary enlistment, you would have accomplished everything that was desired.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. GOOD. Does the gentleman feel that, irrespective of the adoption of the legislative program provided for in the bill, the Army can possibly be reduced below an average of 500,000 for the next fiscal year?

Mr. DENT. I do not; and the provision for the pay of an Army of that size would take care of that, if nobody makes a point of order on it.

Mr. GOOD. I was wondering what would become of the 100,000 or more men who had enlisted before the war under the regular provision of law, whose term of enlistment in most cases would not expire until after the close of the year.

Mr. DENT. The committee is in possession of information on that subject which leads them to believe that the number of men enlisted under the provisions of law prior to the declaration of war would amount to only about 30,000 men.

Mr. HUDDLESTON. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. HUDDLESTON. Does not the gentleman admit that this bill does not provide for more than half enough money to cover 500,000 men?

Mr. DENT. Does my friend from Alabama desire to increase the appropriation by another billion dollars?

Mr. HUDDLESTON. I am not in favor of providing for an expenditure without making an appropriation for it. I do not want a deficiency appropriation to come in here of a billion and a half dollars.

Mr. DENT. I will state now to my colleague from Alabama, that of course in fixing the amount of the appropriation it is to a large extent guesswork. It is bound to be guesswork, especially under these circumstances. We know how much it costs for officers. We make an average. The pay of the officers used to be about \$2,300, but in this bill about \$2,100. We know the average pay of an enlisted man.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. DENT. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. DENT. We know that the average pay of a man under this increased pay that we have provided for in the bill is about \$394, so that we can figure accurately on that. But when it comes to subsistence, when it comes to general supplies, when it comes to the amount of equipment under the Engineer Department, you have got to guess more or less as to the sum of money necessary for that purpose. We have made the very best guess we could under the circumstances, demobilizing the Army, as we do; and I do not think that the Committee on Military Affairs, with the information that we have, should be abused further by the House upon the proposition unless some Member of the House is willing to give us a little more information and make it a little more accurate than we have made it.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. GORDON. Another answer, and most important of all, is that nobody knows how long it will be necessary to keep this Army in Europe, because nobody knows when the treaty of peace will be ratified and its ratification proclaimed. There is an uncertainty that no one can answer.

Mr. KNUTSON. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. KNUTSON. Would it not make a great deal of difference whether the nations had combined themselves together in the form of plunderbund or a league of nations?

Mr. GORDON. We are not appropriating upon the theory that there is going to be any plunderbund. We are appropriating here, and attempting to guess at the average number of men that will be in the Army for the period of the next fiscal year; and the number of men in the Army and the period of their service is entirely dependent upon the date of the ratification of the treaty of peace.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. HUDDLESTON. My understanding of this bill was that it was to relieve the soldiers who are now in Europe and bring them home, and put these other men in their places, without regard to the date of the signing of the treaty of peace.

Mr. GORDON. Oh, no.

Mr. HUDDLESTON. Does the gentleman intend to keep them there, peace or no peace, and to send these others over there, too?

Mr. GORDON. No; but if it becomes necessary to bring these men back before their terms of enlistment expire, then we are providing an Army to replace them.

Mr. HUDDLESTON. The gentleman says "an Army to replace them." What does the gentleman mean by that?

Mr. GORDON. Almost everybody is demanding that that Army be brought back, regardless of when this war ends.

Mr. HUDDLESTON. Is not the war ended now?

Mr. GORDON. No; not exactly, and it will not be, either, until the treaty of peace is ratified; and by the terms of the enlistment contract of the men they can be held four months after the ratification of the treaty of peace.

Mr. HUDDLESTON. Will the gentleman yield again?

Mr. GORDON. Yes.

Mr. HUDDLESTON. This bill is based on an average Army of 500,000 men.

Mr. GORDON. Yes.

Mr. HUDDLESTON. Then it must be that the Army will average 750,000 or 1,000,000 men.

Mr. GORDON. It must not be any such thing. The size of the Army under the old law will depend entirely upon the time when the period of enlistment of these men expires and when they can be brought home.

Mr. HUDDLESTON. If peace were signed to-morrow, still the Army for the next fiscal year would average in excess of 750,000 men under this bill.

Mr. GORDON. How do you know?

Mr. HUDDLESTON. Because we can not get them back here from Europe fast enough.

Mr. GORDON. You do not know that.

Mr. HUDDLESTON. I do know it.

Mr. TILSON. Will the gentleman from Ohio yield?

Mr. GORDON. I yield to the gentleman from Connecticut.

Mr. TILSON. Will any man who is enlisted under this provision of this bill increase the number of men actually in the Army by one single individual? Is it not the intention simply to replace the men who come out, or at least to take out one man anyway from the number of men now in the service for every one that we enlist under this provision?

Mr. GORDON. Of course that was the theory upon which this legislation was recommended, that these men were intended to take the place of the men now in the service who would be discharged.

Mr. HUDDLESTON. There is nothing in the bill that calls for that.

Mr. GORDON. The draft law by its terms expires with the signing of the treaty of peace, and it provides that the men in the service must be discharged within four months if they can be returned.

Mr. DENT. If the gentleman will allow me, it is a little stronger than that. Everybody is discharged immediately upon the signing of the treaty of peace.

Mr. GORDON. Yes, except that although all men who enlisted or were drafted since the declaration of war are by the terms of the law "for the period of the war, unless sooner terminated by discharge or otherwise," the same act declares that within four months after the date of the President's proclamation of peace, or as soon thereafter as it may be practicable

to transport the forces then serving without the United States to their home station, compulsory service shall cease.

Mr. GOOD. Will the gentleman yield?

Mr. GORDON. I yield to the gentleman from Iowa.

Mr. GOOD. Suppose this plan fails?

Mr. GORDON. Which plan?

Mr. GOOD. The plan to raise an Army of 500,000 men by enlistments for one year to take the place of men now in Europe. Suppose that fails and you do not get any enlistments?

Mr. GORDON. Then we will not have any.

Mr. GOOD. How are you going to do the necessary policing over there?

Mr. GORDON. If the terms of enlistment of the men who are over there have not expired and their services are needed, they will have to be kept there; that is all there is about it.

Mr. FIELDS. Mr. Chairman, the chairman of the committee has well said that it was not the intention of the committee to provide for a permanent Army of 500,000 men and 28,000 officers. I am confident, as a result of personal contact and of discussion on this subject with the members of the committee, that there is not one member of the committee who advocates a permanent standing Army of 500,000 men. For myself, it was my opinion that it was unnecessary and unwise to carry a legislative provision in this bill. When peace comes the act of 1917 becomes inoperative. It dies. The men who are in the Army under that act go out of the Army. And here is the situation before us: There will be left about 20,000 men in the Regular Establishment whose terms will not have expired. I think that number is correct. If I am not stating the number correctly, I stand to be corrected.

Mr. SHERWOOD. It was stated yesterday on the floor by a member of the Military Committee—I think the gentleman from Arkansas—that we would not have any Regular Army. It was stated by the chairman of the committee a few minutes ago that we would have an Army of 30,000 men. Now the gentleman says we will have a Regular Army of 20,000 men. I would like to have some information as to which of those statements is correct.

Mr. FIELDS. It is a guess as to just exactly how many men we would have at any given time. We might have 30,000 men one month, and the next month we might have 20,000, because of the expiration of the terms of enlistment of men in the service.

I would say from information that it would run from 20,000 to 30,000 men, but we have a commissioned personnel, provided for under the act of 1916. It seemed to me that all that was necessary was to restore the voluntary enlistment, because when the present emergency defense act goes out of existence the act of 1916 automatically becomes operative, and will be in full force and effect. The act of 1917 does not go out of existence so long as the country is at war. It can not go out of existence until peace comes. But the act of 1916 provides for a peace establishment, and, as I have said, will again become effective as the current temporary act goes out of existence.

Mr. IGOE. Will the gentleman yield?

Mr. FIELDS. Yes.

Mr. IGOE. Has the committee any information from the War Department as to how many hundred thousand men they will require in the United States, without any regard to Europe?

Mr. FIELDS. At what time?

Mr. IGOE. During the next fiscal year. They have seven hundred and some odd thousand now.

Mr. FIELDS. No.

Mr. IGOE. Did the committee inquire about it?

Mr. FIELDS. Yes.

Mr. IGOE. What does the War Department say about it?

Mr. FIELDS. They say a good many things with regard to the demobilization of the Army that I do not agree with. They claim, of course, that it takes time to subject men to physical examinations that they must necessarily undergo before they are discharged, and that is correct. As to whether it requires as much time as gentlemen in charge of these examinations claim I do not know, but, in my opinion, examinations could be made more rapidly. They claim that the cantonments throughout the country must be maintained for demobilizing purposes, and I agree with them, but I do not agree with them on the number that it takes to maintain the cantonments. Fort Thomas, Ky., is not used extensively for demobilization, as Camp Taylor is on the one side and Camp Sherman on the other.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FIELDS. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FIELDS. There is Camp Taylor on one side and Camp Sherman on the other, where there will be large demobilization of the forces, and at Fort Thomas I am informed that they have 25 men in the hospital and 100 men in the medical branch of the service looking after them. I do not believe that it is necessary to keep 100 men there, and, to be frank with you, I believe there are commissioned officers of the lower ranks throughout the continental United States who have better positions now, many of them, than they ever had before, and who are doing everything in their power to delay demobilization and hold the organization intact for the purpose of perpetuating their commissions.

Mr. KEARNS. The gentleman says he believes it is a fact. Does not he know it is a fact?

Mr. FIELDS. The gentleman heard what I said. No; I do not know it.

Mr. KEARNS. It is common knowledge all over the country.

Mr. FIELDS. Mr. Chairman, I have consistently supported the War Department, and I am still doing it when it is right. I have raised no question about bringing the men back from Europe.

I have two boys there and would be glad to see them return, but I realize that gentlemen might be made to blush by the record if they should advocate the return of the men from Europe before the war is over and then have some condition develop because of the rapid demobilization that would cause hostilities to reopen. But so far as the forces in this country are concerned, I maintain that it is not necessary to hold in the camps the large numbers that they are maintaining. It is not necessary to hold them for the maintenance of the camps, I know, because if that were true we would never have had any fighting forces from the men now in the cantonments. If that were true, these men now being held to maintain the cantonments would never have been considered fighting forces. They would have been held as repair gangs and as upkeepers of the cantonments.

So now that we are not going to send them across they should be demobilized and demobilized speedily and sent back to the farms and industries.

Another thought. In 1917, prior to the reclassification, a great many men were drafted into the service who had wives and children or other dependents. I have asked the Secretary of War to make a blanket order dismissing from service all men in this country who have dependents at home. But the Chief of Staff says that to do so would interfere with demobilization. I do not understand how a blanket order that every man in the country who has dependents at home should appear for his medical examination and be discharged would interfere with demobilization. As constant as I have been in my support of the War Department, I can not support them in such a doctrine as that, and I refuse to do it. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. IGOE. Mr. Chairman, I offer the following amendment as a separate paragraph.

The Clerk read as follows:

Amendment offered by Mr. IGOE: Page 16, after line 9, insert the following as a new paragraph:

"Immediately upon the approval of this act every man in the Army service within the United States, who shall have entered the service since April 6, 1917, shall be permitted to file an application for discharge from the military service. If such application is disapproved by the superior officer authorized to grant such discharge, the application shall be forwarded immediately by such superior officer with the reasons of such disapproval to the Secretary of War for review."

Mr. DENT. Mr. Chairman, I make a point of order on the amendment.

Mr. IGOE. Mr. Chairman, I hope the gentleman will not make the point of order. Members of the Military Committee have been asking us what we can do to bring about the discharge of these men in the United States. I stated to the chairman of the committee that I thought that many of them could be relieved if we would appropriate enough money to employ civilians in some of these positions. But there is another difficulty about securing the discharge of men in the United States. First, let me say that I want to see all of these men brought back from Europe as soon as possible, but I realize that transportation and other questions stand in the way. The chairman of the committee inserted in the RECORD as of February 11 the figures showing that on that date there were in the United States in the Army 48,676 officers and 767,000 men. It was stated at the same time that the department was down to bedrock, but that statement was afterwards corrected by one member of the committee upon the floor yesterday. No member of the committee can tell this House how many men we really need to take care of these cantonments and do the other necessary military work in this country. The trouble about the thing is, as far as my observation and experience go, that under an order of the Secretary of War the commanding officers are in complete authority to act

on these applications. I do not blame the commanding officers personally, but I do blame some of their subordinates, for the action that has been taken in many of these cases. One Member of this House inserted in the RECORD an order that was promulgated in one of these camps, stating that letters from outsiders, particularly politicians, would result to the detriment of the applicant. I have a letter from a young man up in one of these places in New Jersey, who was told by his captain, the whole organization was told, that they could file applications, but that if they had any letters sent from the outside, particularly from men who were politicians, as he called them, the application would go to the bottom of the list, and that was the last that would be heard of it. In other camps when applications have been filed they have absolutely been ignored. I have a letter from an officer, saying that an application could not be granted because the regulation provided for the discharge only of men where there was the greatest distress in the family. The order made by the Secretary of War did not read in any such way. The Tenth Division was ordered demobilized at Camp Funston. A regiment of Engineers belonging to that division at the time the armistice was signed was up here at Camp Merritt, or some place, ready to go across. The regiment was sent to another camp, and, as far as the Tenth Division was concerned, that regiment is lost. The order for the demobilization of the Tenth Division is not in existence, as far as these men are concerned, and they are being transferred to some other organization.

Out in another camp when an application was filed and a letter written by some one on the outside, the sergeant told the mother that because influence was being brought to bear that that was the last that would be heard of that application. I have gone to the department and have had them send to find out what has been done with certain of these applications, and I say that when this Congress adjourns on the 4th of March, unless we pass some legislation in respect to it, if we do not have an extra session before July, in my judgment there will be hundreds of thousands of these men in the service, and the Lord help the men, for they will get no assistance from anybody; and I want to have some amendment written into the law under which these applications can be filed as of right, and directing these commanding officers to indorse their reasons for disapproval, and to send them to the Secretary of War, so that the officials of the department may know what is going on. If these men are needed, I am in favor of their being retained, but I do object to some subordinate pigeonholing these applications. Let me tell you what happened in a case that I had the other day.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. IGOE. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. IGOE. A young man from my city happens to be up here in one of these camps, assigned to the fire department. I think they had about 8 men there when the armistice was signed, but they need 15 now, since the war is over. He filed an application for discharge. He has a wife. They could not release him because he was needed. His wife has been employed, but became physically incompetent to work, for she was about to give birth to a child. When the man went to the officer and told him the situation, the officer said, "Well, you are neither a midwife nor a doctor."

Mr. FIELDS. Mr. Chairman, I wish the gentleman would put that officer's name in the RECORD.

Mr. IGOE. I will see to that some other time. In another camp there was a young man who had a brother who was killed in France. The word came to that effect shortly after the signing of the armistice. When I saw him in the latter part of November the young man had asked for a furlough, but was told by an officer that he could not do any good at home, that his brother died in France. He wanted to go home to see his widowed mother and to comfort her.

He was refused. He filed an application for discharge. Both of these boys had been making allotments. The officer certified that his services were necessary and that he could not be discharged. I wrote and wanted to know why he could not be discharged, and they simply said that he was necessary. I had seen the young man, and his duties consisted in taking care of an officers' club. That was the necessary duty he had to perform. I went up and had the case investigated, and the man was discharged.

The other day down in a field in Texas—and by the way it seems that they must have a lot of men from St. Louis down in Texas, and a terrible time they have getting out, from the correspondence I have—a case came to my attention. A man who

was married had himself inducted into the service. He would never have been drafted. His wife went to work, but she became ill with tuberculosis and had to quit. He filed application and supplied the affidavits in January, and the officer at that field said that they were going to send some 600 cadets there, and while the first lieutenant and the second lieutenant approved the application the commanding officer would not approve it. The man was held. When I went up the other day and had them wire about it, word came back that the man had been discharged. I sent word to the woman, and got a letter back that she had not seen her husband. I do not know whether the man has been discharged or not. The Secretary of War is trying to find out, but in any event he was not discharged for a month after this proof was supplied that his wife, who had been employed and was working, trying to support herself, was ill with tuberculosis and was unable to work. I hope this committee will not make the point of order against this amendment.

I do not want to have the Army turn men out if they need them; but when Members of Congress can not get satisfaction from these camps, what satisfaction can parents or wives get from them? [Applause.]

Mr. DENT. Will the gentleman yield?

Mr. IGOE. I do.

Mr. DENT. From a practical standpoint, as I understand the gentleman's amendment, all that it will accomplish is that the papers in each case shall be filed in the office of the Secretary of War?

Mr. IGOE. If they are disapproved, the officer must send his reason, and that is what I want.

Mr. DENT. But from a practical standpoint, the effect of the gentleman's amendment will simply be to have the papers filed in the Secretary's office?

Mr. IGOE. They are to be sent to the Secretary of War for review.

Mr. DENT. It does not necessarily mean it is going to get the man discharged?

Mr. IGOE. Oh, I will tell you what it means. It means the commanding officer will have to certify the reasons for holding him.

Mr. DENT. I am not going to make the point of order.

Mr. IGOE. I hope the gentleman will not.

Mr. BLANTON. Will the gentleman yield?

Mr. IGOE. I will.

Mr. BLANTON. Does the War Department hold that a private soldier has no right to appeal to his Representative to see that his application gets just attention?

Mr. IGOE. The War Department does not say that, but I will tell you the practice. Some of these subordinate officers say that Members of Congress have no right to send letters to a camp; it takes up too much of their time.

Mr. DENISON. Will the gentleman yield?

Mr. IGOE. I will.

Mr. DENISON. A young man came into my office who had made application to be discharged from St. Elizabeths Hospital, where he was a guard. The subordinate officer there told him when he came to town not to go and call on any of his Congressmen at all.

Mr. IGOE. I will tell you what happened here the other day. I went to see about the discharge of a young man—he is not doing a blessed thing right now, not a thing—and the officer said, "I am working 15 hours a day, and I do not let anybody out." That is the spirit. I want these applications to come to the Secretary of War, so that they may be open to Members of Congress and to the Secretary. [Cries of "Vote!"]

The CHAIRMAN. Does the gentleman from Alabama insist on his point of order?

Mr. DENT. I withdraw the point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

Mr. DYER. Mr. Chairman, I ask to have the amendment again reported.

The amendment was again reported.

Mr. PLATT. Mr. Chairman, I want to speak in opposition to the amendment.

Mr. DENT. Mr. Chairman, I ask unanimous consent that at the expiration of five minutes debate on this amendment and all amendments thereto be closed.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that at the expiration of five minutes debate on this amendment and all amendments thereto be closed. Is there objection?

Mr. LITTLE. Mr. Chairman, reserving the right to object, I wish the gentleman would make it 10 minutes. I would like to speak for five minutes.

Mr. DENT. I will make it for 10 minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, reserving the right to object, will the gentleman consent to my offering an amendment to this amendment if I so desire?

Mr. DENT. I do not intend to cut off any right to offer amendments, but simply to close up debate on this amendment and all amendments thereto at the expiration, say, of 11 minutes.

Mr. MOORE of Pennsylvania. I wish to confer with the gentleman from Missouri about it while debate goes on, and I should like to have opportunity to offer an amendment to the amendment.

Mr. DENT. I do not want to cut off any right to offer an amendment, but simply to close debate on this amendment and all amendments thereto.

The CHAIRMAN. What is the present request?

Mr. DENT. At the expiration of 11 minutes, that all debate on this amendment and all amendments thereto close.

Mr. LITTLE. And I will get five minutes?

Mr. DENT. Yes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that at the termination of 11 minutes all debate on this amendment and all amendments thereto shall be terminated. Is there objection?

Mr. DYER. Mr. Chairman, reserving the right to object, will the gentleman from Alabama permit me, I desire to offer an amendment which will take four or five minutes to explain. It does not have to do with this amendment, and is an amendment to line 9, with reference to the Philippine Scouts.

Mr. DENT. I hope the gentleman will wait until we read that.

Mr. DYER. If the unanimous-consent request is granted I would not have opportunity. It only applies to this item.

Mr. WINGO. Mr. Chairman, this is a very important amendment, and we ought not to shut ourselves off. We have spent a great deal of time on things which are not practical, and now we have got a practical matter that is very important, and I do not think we ought to shut all debate off. Some amendment might be offered which ought to be voted down, but some amendment might be proposed which will be practical, and therefore I object.

Mr. DENT. Then I move at the expiration of 11 minutes all debate on this amendment and all amendments thereto be closed.

Mr. WINGO. The gentleman will not make time by that.

The CHAIRMAN. The gentleman from Alabama moves to terminate debate on this amendment, and all amendments thereto at the expiration of 11 minutes.

Mr. DYER. Mr. Chairman, will that prevent the offering of an amendment now?

Mr. DENT. Not at all.

The CHAIRMAN. The question is on the motion.

The question was taken, and the Chair announced the ayes seemed to have it.

On a division (demanded by Mr. Wingo) there were—ayes 40, noes 3.

Mr. WINGO. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from Arkansas makes the point of no quorum. The Chair will count. [After counting.] Ninety-seven Members are present, not a quorum.

Mr. TILSON. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Connecticut moves that the committee do now rise.

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. TILSON. Mr. Chairman, I ask for tellers.

Tellers were ordered; and Mr. DENT and Mr. TILSON took their places as tellers.

The committee again divided; and the tellers reported—ayes 5, noes 103.

So the motion to rise was rejected.

The CHAIRMAN. A quorum is present, and the committee refuses to rise. The question now recurs on the motion of the gentleman from Alabama [Mr. DENT].

The question was taken, and the motion was agreed to.

The CHAIRMAN. The gentleman from New York [Mr. PLATT] is recognized for five minutes.

Mr. PLATT. Mr. Chairman, I have been very much amazed to hear members of the majority party, who are supposed to be supporting the administration, get up here and denounce the War Department, one after another, and not only amazed at that but amazed that here is an amendment that has been offered from that side of the House which would give the Secretary of War infinite embarrassment if it should be passed; and yet nobody on that side of the House has the guts to raise a

point against it, not even the chairman of the committee in charge of the bill.

The proposed amendment would give the Secretary of War more embarrassment than anything else you could do. We all get these complaints from the boys who want to be discharged, but a lot of men—

Mr. DENT. Will the gentleman permit an interruption?

Mr. PLATT. Yes.

Mr. DENT. Of course, it would be subject to a point of order, and if the gentleman wants to take care of the Secretary of War why does he not make the point of order?

Mr. PLATT. I hold no brief for the Secretary of War, and I want to get an opportunity to say a few words first, as the chairman of the committee did not raise the point of order—

Mr. GORDON. What is your objection to it?

Mr. PLATT. It is perfectly obvious that if you require the applications for discharge of a million men to the commanding officers, to be sent to the Secretary of War, he would be overwhelmed with them, and there would be a whole lot more employees in the War Department than there are now, as the Secretary of War could not give them his personal attention. The Secretary of War already has thousands of letters, whole sacks of them, on this subject.

What was the matter with Circular No. 77, allowing individual discharges for specific reasons of necessity at home? If it had been properly guarded, it would have been a very good circular and a good general order, but it was apparently given out that anybody in the Army could get his discharge by making application and stating that he could get a job. The result was that all the commanding officers in all the cantonments were overwhelmed with applications for discharge, and the thing defeated itself. Then the Secretary of War tried to take it back and said, as I understand his attitude, that he did not see why a married man with a job should get out ahead of an unmarried man without a job, his position being that an unmarried man has got to hunt both a job and a wife, and therefore ought not to be handicapped. That may seem humorous, but, after all, a man with a job, whose job will wait for him, is perhaps more entitled to a discharge immediately than others. The whole question is whether the country needs the services of these men. If it does not, they should be let out.

Mr. HASTINGS. Does the gentleman think they need them?

Mr. PLATT. If it does need them, Members of Congress ought not to be interfering all the while. If gentlemen, particularly Democrats, want to criticize the War Department, why do they not criticize the Commander in Chief and his Secretary of War, who make the policies under which these things are done?

Gentlemen get up here in the House and say that subordinate officers, lieutenants, and so forth, are getting more money in the Army than they ever got in private life, and that they are interfering with the discharge of soldiers, so as to hold their own jobs. That is absurd, and they know it. I do not know how it is with other Members of Congress, but I get more letters, far more in proportion to the number, from officers who want to be released than I do from enlisted men.

Mr. IGOE. This includes officers as well as men, as I will say to the gentleman.

Mr. PLATT. Officers can resign.

Mr. IGOE. They can not get out when they want to.

Mr. PLATT. Of course, they can not all get out when they want to, but their applications come to the War Department, anyway.

Mr. IGOE. Just recently the War Department made an order that any man in the service abroad could file an application for discharge, and that the papers were to be sent to Gen. Pershing. Is he not as busy as the Secretary of War?

Mr. PLATT. That order is pretty carefully guarded. It refers only to cases of severe illness and extreme necessity at home. It can properly apply only to very few men. If they are going to allow everybody to make application for discharge, you might as well disband the Army at once and say to the Germans: "Come on back. We are going to get out at once. We are tired of defending democracy, and we are going to disband our Army."

The war is not over. It is over in one sense, but not in another. Obviously we have got to have an Army for some time yet. I do not think our liberties would be seriously in peril if we had a standing Army of one-half of 1 per cent of our population, 500,000. I do not think we ought to denounce such an Army as if it were going to upset the liberties of the country. As a matter of fact, these men who are importuning us to get out of the Army now and out of the Navy, quite a proportion of them, when they get out will turn around and enlist. How do I know it? Because they are doing it now. Men coming out of the Army are reenlisting in the Marine Corps,

Mr. DYER. And that is the best place to enlist.

Mr. PLATT. That is the only place they can enlist at present, except in the Navy, which is said to be enlisting 1,600 men a week. Many of the complaints of the soldiers are just, but many of them should not be taken too seriously. We do not want to create the impression that Congress is in favor of disbanding the whole Army all at once, and that is just what many Members are doing.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PLATT. I will ask for two minutes more.

Mr. DYER. I ask that the gentleman have three minutes more.

The CHAIRMAN. The time agreed upon was 11 minutes, and the gentleman from New York [Mr. PLATT] was to have 5 of that, and the gentleman from Kansas [Mr. LITTLE] was to have 5.

Mr. LITTLE. Mr. Chairman—

Mr. WINGO. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. WINGO. That agreement was objected to, and the debate closed on the motion, without any limitation at all.

The CHAIRMAN. The gentleman is right about that. It was closed by vote. The Chair had in mind what the agreement was. The Chair will recognize the gentleman from Kansas [Mr. LITTLE] for five minutes. That is making effective what the Chair understood the agreement would be if it were carried out.

Mr. LITTLE. Mr. Chairman, we have just heard it stated that a great many soldiers are leaving the Army and going into the Marine Corps as fast as they can get out of the Army. The reason for that, I suspect, is because the officers of the Marine Corps have more sense of appreciation of the demands and necessities of the American people than have the officers in charge of the organization of the Army. If you make out a good case with the Marine Corps you can get your man out. The trouble in the Army is that the final power to decide whether a farmer needs his boy worse than the Army does is lodged with some little chap somewhere who thinks he is an irresponsible autocrat and who is going to decide for himself that question without regard to consequences unless we enact the consequences. They have gone so far as to issue orders, some of which I read here January 29, that if any boy who wanted to get out had the support of a Member of Congress that knew him and certified to the facts in his case he would be the last one on the list, and he would have more trouble than anybody else. That is the kind of trouble we are up against.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. DEMPSEY. I received a letter from a lieutenant colonel a day or two since in which he stated that it was his observation that all applications that were indorsed by Members of Congress and other prominent men were very poorly founded; that they had submitted very poor grounds for relief in such cases.

Mr. LITTLE. The reason why Congress ought to pass this provision is that the men whose discharges they recommend are discriminated against by these irresponsibles. The case out in the naval training station near Chicago I called attention to, and in a few days the Bureau of Navigation issued an order to the effect that all men desiring to get out should be discharged upon their applications, providing they are in certain detachments named. Now, I find to my regret that that order is not obeyed. Twice I have received letters from officers who had not evidently heard of it, officers who wrote to me that the man's application was on file and would be examined, and if the facts warranted it the man who had made the application would be discharged.

A law should be made and the officers called to its obedience. There is no reason on earth why a little petty officer in a little or big place who writes from down in New York that anybody who has the recommendation of a Congressman has a bad case, should be allowed to hold his place. The war is over, and every boy in the United States who has a job, whose father needs him, or whose school is open for him ought to be discharged on his application, as the Navy has indicated. And yet we find fellows like this lieutenant colonel writing to the gentleman, a Member of Congress, that he can not think of such a thing as giving his reasons consideration. There is one remedy in such a case, and that is to have a review somewhere. That review should probably rest with the Secretary of War.

If he needs more clerks to perform the clerical work involved in such reviews, he could command the services of some of these soldiers who are going around and doing nothing. I would rather have these petty officers, who have no sense of responsibility, relieved anyway. The law should reach these feudal despots. The other day a boy was acquitted by a court-martial, and when the acquittal went before Maj. Gen. Thomas

Barry, up at Chicago, who is about the best example of the typical autocrat we have, he disapproved it, although the law and the evidence said it ought to be sustained. But he could not help himself, and the boy was released. That is the class of people that we are up against—petty autocrats, with no idea of the necessities of the American farmer or the boy in the shop or the schoolboy.

Now, gentlemen, we ought to have a review by somebody with some sense of responsibility, with some views broader than those of a petty officer or even of an officer higher up. Let the Secretary of War review these cases. He is an American civilian citizen, at least, and he ought to understand these things. Let him have a proper board of review before a body of civilians.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. LAZARO. I fully agree with the gentleman that in the case of an officer who acts as the gentleman stated officers did a while ago, he ought to be called down.

Mr. LITTLE. This is the only way to do it.

Mr. LAZARO. But I do not think you ought to undertake to indict the whole War Department because some officers do not do their duty. The gentleman said the war is over. Is it over?

Mr. LITTLE. It is over over there, even if it is not over over here. [Laughter.] We are not indicting the department. We are reposing confidence in it instead of in the irresponsibles.

Mr. LAZARO. Do you mean to say that the peace treaty is signed?

Mr. LITTLE. No. We have nearly 2,000,000 men over there, and to-day they are arranging to raise 500,000 more men in order to let them out over there. I am not in favor of quitting before the end is reached, but this bill arranges for that. Why should these men be held unnecessarily? It is not necessary to keep those who are ready to go to school or work. We have been informed a few moments ago that often boys released from the Army in the United States go right away and enlist in the marines. The marine officers have generally seemed to realize that the needs of civil life now are superior to theirs for the moment. They have comported themselves with reason instead of insulting our taxpayers and their Representatives. If you treat these boys well and act with comprehension of the country's needs you will have no trouble in filling up the ranks, as the experience of the Marine Corps shows. [Applause.]

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. JONES. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JONES to the amendment offered by Mr. JOE: In line 9 of said amendment, after the word "application," insert the following: "together with any affidavits and all other proofs which may have been submitted with such application," so that as amended the amendment will read, "If such application is approved by the superior officer authorized to grant such discharge, the application, together with any affidavits and all other proofs which may have been submitted with such application, shall be forwarded immediately by such superior officer, with the reasons for such disapproval, to the Secretary of War for review."

Mr. JONES. Mr. Chairman, I do not care to make a speech on that. I think the amendment is self-evident and should be adopted along with the other.

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

The question was taken, and the amendment to the amendment was agreed to.

Mr. BAER. Mr. Chairman, I offer an amendment to the amendment.

The CHAIRMAN. The gentleman from North Dakota offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Mr. BAER offers the following amendment to the amendment of Mr. JOE: At the close of the amendment add:

"That it shall be the duty of officers to notify and instruct men under their commands as to the method of procedure prescribed by the regulations for securing an honorable discharge from the service."

The CHAIRMAN. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment as amended.

The amendment as amended was agreed to.

Mr. JOHNSON of South Dakota. Mr. Chairman, I have two or three amendments for which I desire recognition. I will read the first one and then send it to the Clerk's desk. It is as follows:

Page 16, after the figures "\$624,004," insert:

"All officers and enlisted men who in actual combat or while in actual service at any front shall have performed the duties of an officer or enlisted man of higher grade or rank shall, for the period during which such duties were performed and until relieved by competent authority, receive the same pay and allowances as the officer or enlisted man of the grade or rank whose duties were assumed. Such payment and record of service shall appear on the discharge certificate of each officer and man affected. For pay of such officers and enlisted men, \$2,000,000."

Mr. KAHN. I reserve a point of order on the amendment.

Mr. STAFFORD. It has not been offered yet.

Mr. JOHNSON of South Dakota. I offer the amendment.

Mr. WINGO. I suggest that the amendment be reported at the Clerk's desk.

The CHAIRMAN. The gentleman from South Dakota offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of South Dakota: Page 16, after the figures "\$624,004," insert:

"All officers and enlisted men who in actual combat or while in actual service at any front shall have performed the duties of an officer or enlisted man of higher grade or rank shall, for the period during which such duties were performed and until relieved by competent authority, receive the same pay and allowances as the officer or enlisted man of the grade or rank whose duties were assumed. Such payment and record of service shall appear on the discharge certificate of each officer and man affected. For pay of such officers and enlisted men, \$2,000,000."

Mr. JOHNSON of South Dakota. Mr. Chairman, I must admit that if the point of order is made against this amendment it is well taken, but I hope that the gentleman may be induced not to make it. It is a well-known fact that two things in combat at the front during the late war were always present and expendable and need not be accounted for. One was the supply of first and second lieutenants and the other was ammunition. A great percentage of the lieutenants and officers were incapacitated for service. Many of you may not have realized that immediately upon the incapacitation of those officers, sergeants, corporals, and enlisted men at once assumed command of the different companies and performed the duties of the officers. No provision has ever been made for recognition of their services, and no provision has ever been made for their payment. The payment amounts to nothing for the services that were performed. It is the recognition that should be given. I can call to mind one particular case in a company with which I am personally familiar, and could mention many other cases, where every officer was either killed or wounded. In this company immediately after disappearance from the field of action of the officers seven sergeants in succession assumed command of that company. The sergeants were killed or wounded, and the company was taken from the line with a corporal in charge, with 90 men. Now, something should show upon the records that those inducted or enlisted men did the work that officers had been performing and did it just as well, performed the service just as well, as any officer could have performed it.

Mr. LITTLE. Will the gentleman yield there?

Mr. JOHNSON of South Dakota. For one question.

Mr. LITTLE. Was not that second lieutenant a Member of Congress?

Mr. JOHNSON of South Dakota. Not at that time.

Mr. KAHN. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I will.

Mr. KAHN. I agree with the gentleman that something ought to be done for these men, but can the gentleman give the House or the committee any information as to how many of these men there were who took this advanced rank and led their men?

Mr. JOHNSON of South Dakota. I will say to the gentleman that there is no man in the world that could give him the complete information he desires. All of it could not be secured perhaps for 15 years, because all of the cases will not develop by that time. There are many thousands of cases where some buck private or first-class private or corporal or sergeant performed the duties, and I desire that they may receive one day's payment and have the record made, and have it appear on their discharge certificate, so that their parents may know that they performed services of the highest rank and performed them well.

I want to call the gentleman's attention to the fact that my amendment provides and applies only to men who performed these services under actual battle conditions at the front. It does not apply to any man or officer who did not perform the services under actual battle conditions.

Mr. KAHN. May I ask the gentleman another question? Does not the gentleman know that there are claims now pending growing out of exactly that kind of condition in the Civil War? There was some legislation of this kind passed, without information, and claims are coming up now, fifty-odd years after the war is over—claims for additional pay. Does not the gentleman candidly think that this matter ought to be investigated

and full information given to the House before he proposes an amendment of this kind?

Mr. JOHNSON of South Dakota. I would say not. The matter is of little expense for the pay for each man for a day or two. It makes little difference, and I would accept an amendment providing that all of these claims must be presented within six months or one year, if the gentleman desires to propose one.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. MILLER of Minnesota. In view of the statement made by the gentleman from California, let me say that those claims mentioned by the gentleman from California are not claims at all of the character the gentleman is now discussing. Those claims, and I think I speak advisedly, are of men who commanded companies, not under battle conditions, but during the period after the war was over.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. MILLER of Minnesota. Mr. Chairman, I ask that the gentleman's time be extended five minutes.

Mr. DENT. Mr. Chairman, I believe we are all in sympathy with the gentleman's proposition, but I do hope that this bill will not be loaded down with too much legislation, and for that reason I make the point of order.

Mr. MADDEN. Will not the gentleman reserve his point of order and let the gentleman from South Dakota have five minutes more?

Mr. DENT. I will.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the time of the gentleman from South Dakota be extended five minutes. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Now will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. MILLER of Minnesota. I understand the gentleman's amendment provides simply this, that these men who in actual battle, by reason of the incapacity of the superior officer, takes the position of the superior officer and performs his duty, limited to battle conditions, are to be recognized by having the pay of that officer whose duties they assume, for a short period of time and that that would in most cases be a day or two days or two weeks?

Mr. JOHNSON of South Dakota. I thank the gentleman for his observations, which are helpful in the presentation of the facts. I am not familiar with the claims growing out of the Civil War, because I had very little to do with that particular war. [Laughter.]

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. COOPER of Wisconsin. Are the cases that the gentleman has in mind those in which the commanding officer have in their reports commended the soldiers for performing services of that kind?

Mr. JOHNSON of South Dakota. Yes. The records will show that captains were incapacitated and the lieutenant had gone and the sergeant or corporal took his place.

Mr. COOPER of Wisconsin. And the official reports of the battle show it?

Mr. JOHNSON of South Dakota. Absolutely, and they will show that corporals and sergeants have had charge of companies, and they never will get the recognition unless the gentleman abstains from making the point of order and allows this to go into the bill. There is no great amount of money involved.

Mr. COOPER of Wisconsin. Will the gentleman permit another question? That meets the objection raised by the gentleman from California, because the reports of the general commanding the battle that they rendered the services ought to be ample proof of the fact?

Mr. JOHNSON of South Dakota. I think so.

Mr. COOPER of Wisconsin. One other suggestion. The gentleman from California turned to me and said that the general would not make such a report. The gentleman from California forgets the historic case in which Gen. Gibbons, in his report after the Battle of Gettysburg, says that after he was wounded and Gen. Hancock was wounded, Lieut. Col. Frank Haskell, of a Wisconsin regiment, performed the duties of a general in command of the division, and as such rendered heroic and vitally important service on the third day at the Bloody Angle and clump of trees. His name is mentioned in the report of the general.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. KAHN. The reports the gentleman speaks of were undoubtedly made by the captains of the companies where the sergeant performed the services of the second lieutenant.

Mr. JOHNSON of South Dakota. Not necessarily by the captain of the company, but by the commanding officer.

Mr. KAHN. Of the immediate unit.

Mr. JOHNSON of South Dakota. Yes.

Mr. KAHN. That would not probably be the general, would it?

Mr. JOHNSON of South Dakota. As a matter of fact, the reports would not be necessary, because the casualty lists as they came out would show that certain men were incapacitated, and therefore the next junior man in rank must have taken charge of the company.

Mr. KAHN. That is true; but who would make the report? Would it be the general in charge of the division or of the brigade, or would the report be made by the captain of the company or the lieutenant of the company, or the major of the battalion, whichever the case may be?

Mr. JOHNSON of South Dakota. It would be made by the commanding officer of the company through military channels to the major of the battalion and the colonel of the regiment.

Mr. KAHN. Exactly so.

Mr. JOHNSON of South Dakota. Exactly. We agree upon that proposition entirely. The report would be forwarded to the general of the brigade and then of the division, but I want to emphasize this fact, that if you do not recognize these enlisted men, these privates, corporals, sergeants at this time in this bill they will never get the recognition. I should dislike myself to be the man who would take the attitude that these enlisted men who performed this service should not secure the little three or four dollars a day and the statement on their record that they were big enough to take command of a company in some of the greatest battles of this war, and I plead with the Members of this House not to make the point of order, because I know of my own personal knowledge that they are entitled to that recognition, and they ought to receive it. [Applause.]

Mr. REED. Mr. Chairman, is my colleague's amendment so phrased that it will be retroactive?

Mr. JOHNSON of South Dakota. Yes. It is so phrased. It says, "who shall have," and so forth.

Mr. REED. I wanted to be certain of that.

The CHAIRMAN. The time of the gentleman from South Dakota has expired. Does the gentleman withdraw his reservation of the point of order?

Mr. KAHN. I do.

Mr. FIELDS. Mr. Chairman, the chairman of the committee made a point of order, or reserved it, and left the floor in my charge.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. FIELDS. It has already been made by the chairman.

Mr. JOHNSON of South Dakota. Oh, no; the point of order has not been made. I ask the gentleman not to make it upon the theory that the chairman desired it, when he is not present.

Mr. HUMPHREYS. If it is the gentleman's intention to make the point of order, before he makes it I would like to make a request of him.

Mr. FIELDS. Mr. Chairman, I am unwilling to assume the responsibility of making the point of order. I understood the point of order was made, and I was about to call the Chair's attention to that fact; but if the point of order has not been made I am unwilling to assume responsibility for making it.

Mr. MANN. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The Chair understands the situation to be this: The gentleman from Alabama [Mr. DENT] said that he would make the point of order—

Mr. GORDON. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman from Ohio makes the point of order.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman reserve it for a moment?

Mr. GORDON. I will reserve it for a moment.

Mr. HUMPHREYS. If the gentleman will so amend his amendment as to strike out the money feature, so that the fact of this particular service may be indorsed upon the man's discharge, would the gentleman then withdraw the point of order?

Mr. GORDON. No. The money feature is not material with me, but the point is this, that in such an important matter I believe it ought to be done in the regular way by legislation. The reason that makes this subject to the point of order is the reason why a bill ought to be introduced by the gentleman from South Dakota, and referred to a committee, and that it ought to be sent to the War Department for their recommendation, so that it will be done properly. This evidence is all retained, as the gentleman from South Dakota has pointed out, in the reports of the officers of these different units, and the fact that it is not tacked on this appropriation bill as a rider does not necessarily preclude its being enacted into law.

Mr. LITTLE. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Ohio makes—

Mr. MANN. Will the gentleman reserve his point of order for a moment?

Mr. LITTLE. Mr. Chairman, I raise the point of order.

The CHAIRMAN. What is the point of order?

Mr. LITTLE. My point of order is that the gentleman from Ohio reserved no point of order, and he gets in too late after discussion.

Mr. GORDON. The chairman of the committee made it and then he reserved it and went out.

The CHAIRMAN. The gentleman from Ohio did not lose any right, because the moment it was apparent that it would not be made by the gentleman from Alabama, the gentleman from Ohio made the point of order and reserved it—

Mr. GORDON. I reserve it at the request of the gentleman from Illinois.

Mr. MANN. Mr. Chairman, I am going to make an appeal to my friend and our friend from Ohio, and I am sorry he is not going to be with us in the next House. [Applause.] Here is the situation: These enlisted men—and this applies in the main to enlisted men; it may apply to some officers—are soon all to be discharged from the Army. I was disposed to feel when the amendment was introduced that a point of order ought to be made upon it, because I fully sympathized with the position of the gentleman from Ohio and the gentleman in charge of the bill that legislation of this sort really ought to be brought before the appropriate committee at the appropriate time and considered, but, after all, that can not be done at this session of Congress. The Committee on Military Affairs if they wanted to would have no opportunity to pass a bill on this subject at this session of Congress now apart from the appropriation bill, so that practically the only way we can do this at all is to do it now on this bill. After they receive their discharges it is probably too late to show anything of this sort on the discharge. Now, there is this feeling in the Army to-day, and I think we all know it. The enlisted men are sore very largely at the officers and at the Government, a natural condition produced probably by natural causes, not intentional. It seems as though we might at this time, when comes the only opportunity when we can do it, to do this little tribute to the enlisted man in the Army who in the face of fire marched to the front and took command of his company and led them probably in many cases to his own death. I hope, sympathizing as I do with the position of the gentleman from Ohio, being very much opposed to the average piece of legislation being offered as an amendment to an appropriation bill, that under the circumstances the gentleman from Ohio and the gentleman from Alabama will feel at liberty to let the House express itself upon the merits of the proposition. [Applause.] I think it would be a graceful and a gracious attitude to take and would very much help the morale and spirit in the Army. [Applause.]

Mr. GORDON. Mr. Chairman—well, I made the point in the absence of the chairman who has returned—

Mr. DENT. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. JOHNSON of South Dakota. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, after the figures "624,004" insert: "In all cases where officers or enlisted men have been promoted to higher grade or rank and through no fault of their own have not received notice of such promotion for a period of more than three days after the date of the order thereof, the pay, and allowance of the officer or enlisted man so promoted shall in the higher rank or grade commence on the date of the issuance of the order of promotion. For the pay of such officers and enlisted men, \$2,000,000."

Mr. DENT. Mr. Chairman, I reserve the point of order on that. I hope the gentleman will withhold that and offer it when we reach the legislative portion of the bill, where it would more properly come in.

Mr. JOHNSON of South Dakota. Mr. Chairman, I will say to the gentleman from Alabama that one amendment has been adopted, one of my amendments has been offered at this place, and I feel that an amendment of this kind fits as well into one place in the bill as another, and in the congestion that will come at the close of debate on this bill it will be impossible to be heard, and I would like to have the gentleman allow the committee to express itself on this amendment.

In a very few moments, if the gentleman will permit me, I could give him the reason for this amendment.

Mr. DENT. I reserve the point of order.

Mr. JOHNSON of South Dakota. Owing to the defective mail service in the American Expeditionary Forces, a great many officers and enlisted men who had been promoted and had

been wounded did not receive the notice of their promotion for two or three months.

I have been careful about criticizing the administration or the War Department about anything that occurred during the course of this war, as I shall continue to be. It is very easy to criticize, and I notice that many of the men who indulge in criticism do not mention names, dates, or places. If I have any criticism now or at any other time I shall give the names and the dates and the places. I simply want to call attention to the fact that through the fault of some one, I do not know who, we did not get any mail in the American Expeditionary Forces. Many men went into action; they were wounded; they were promoted on the field and then wounded; and they did not get notice of their promotion from sergeant to second lieutenant for, say, two or three or four months, and they never received the pay that they should have received. I can name some of them. There was Lieut. Evren Jones, from Mississippi. I can not remember the place in which he lives, but I can find it. There was Second Lieut. Arthur Smith, of the Thirty-seventh Division, who was wounded in the Argonne Forest with a machine-gun bullet, and who for two months never received notice of his promotion; there was Lieut. Towson, of the Three hundred and thirteenth Infantry, who was wounded in action at Verdun, was promoted on the field, and after his promotion, because he was wounded, sent to a hospital, and did not receive any mail, he never had a chance to accept the commission. And there were perhaps 5,000 or 6,000 cases of wounded men who, because of the fault of the War Department or the Post Office Department, did not receive notice of their promotion and did not receive the increased pay, and they are equitably entitled to it. [Applause.]

Now, the only way they will get this pay for the next 10 or 15 years will be by the adoption of this amendment. And I say at this time that if the Military Committee of this House, representing this administration, want them to get the pay they will only have to give this House an opportunity to vote, because I know the feeling of the House in this matter.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Certainly.

Mr. GREENE of Vermont. Is the state of the military records such that very likely by consulting them they could arrive at a way of adjudicating these matters?

Mr. JOHNSON of South Dakota. Absolutely, because there is the date the men were promoted. They are mailed a notice of promotion. These notices followed these men all over France. They are at the hospitals, and I suppose some of those notices have not been received yet. The men were performing the duties of the higher grades and they were entitled to receive the pay, and the records are clear and plain. There can be no dispute about the facts in the case.

Mr. GREENE of Vermont. I did not mean by my question to doubt the proposition of the gentleman, but merely to ascertain whether the facts were available so that the intent of the amendment could be carried out.

Mr. JOHNSON of South Dakota. Absolutely.

Mr. HUMPHREYS. And that condition does not become effective until the man accepts?

Mr. JOHNSON of South Dakota. Until the man accepts; and he can not accept until he receives a notice, and men did not receive it because of the defective mail service. I would say, in conclusion, that my proposal is that the promotion of each man shall become effective on the date where, through no fault of his own and that is expressly provided in the enlistment, he did not receive notice of his promotion. It applies to enlisted men and sergeants who were promoted, and second lieutenants who were promoted to first lieutenants, and so forth. The amendment is aimed to meet the needs of the lower grades only.

Mr. DENT. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. LITTLE. Is it not a fact that there is an appropriation to pay men from the time they are promoted?

Mr. GORDON. A man is entitled to it as a matter of law whether it is received by him or not.

Mr. LITTLE. If that is true, this is not subject to a point of order. There is merely an appropriation.

Mr. JOHNSON of South Dakota. He does not get his pay until he files his acceptance of the commission, and the action of the chairman of the committee in not allowing this to go through means that thousands and thousands of young officers and enlisted men who were wounded and sent back to the hospitals will not get their pay.

Mr. GORDON. The gentleman is incorrect about that. It can always be corrected by subsequent legislation.

The CHAIRMAN. All of this discussion is out of order.

Mr. JOHNSON of South Dakota. I will say to the gentleman that the rule I have given was the one in force in our Army.

The Clerk read as follows:

For pay of the officers, Philippine Scouts, \$624,004.
Additional pay to officers for length of service, \$4,506,933.

Mr. DYER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DYER. What part of the bill have we read?

The CHAIRMAN. We have just finished lines 10 and 11.

Mr. DYER. I called the attention of the chairman of the committee to an amendment I desire to offer at the end of line 9, which I could not offer until the discussion was finished on these other amendments. I have an amendment that goes directly to that line, and I ask permission to present it.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Missouri.

The Clerk read as follows:

Amendment offered by Mr. DYER: Page 16, at the end of line 9, insert:

"Provided, That captains and lieutenants of Philippine Scouts who are citizens of the United States shall hereafter be retired in the grade held by them at the date of retirement and shall be retired for disability under the same conditions, including pay, as officers of the Regular Army, and that they shall receive as retired pay 2½ per cent a year for each year of service, to a maximum of 75 per cent of the active pay of their grades at date of retirement and retired pay being increased for the additional years of service up to the maximum of 75 per cent of the active pay: *Provided*, That hereafter when an officer of Philippine Scouts has served 20 years he shall be eligible for retirement under the provisions of this act: *Provided further*, That all officers of Philippine Scouts on the date of the passage of this act be commissioned, by and with the advice and consent of the Senate, and not examined after entrance except upon promotion to the next higher grade: *And provided further*, That all officers of Philippine Scouts now borne on the retired list as such shall be transferred to the retired list created by this section and shall thereafter receive the retired pay and allowances provided by this section for other officers of Philippine Scouts: *And provided further*, That any former officer of Philippine Scouts who vacated his office in the Philippine Scouts by discharge or resignation on account of disability contracted in line of duty shall be placed on the retired list created by this section and shall thereafter receive the retired pay and allowances authorized by this section: *And provided further*, That officers of Philippine Scouts retired under the provisions of this act shall not form part of the limited retired list now authorized by law."

Mr. DENT. Mr. Chairman, I reserve a point of order on that.

The CHAIRMAN. The gentleman from Alabama reserves a point of order on the amendment.

Mr. WINGO rose.

The CHAIRMAN. For what purpose does the gentleman from Arkansas rise?

Mr. WINGO. Every time we have anything really important before us, the gentleman from Alabama [Mr. DENT], in charge of the bill, tries to drive through. I am one of those who want to have full consideration of these matters. When we had up a proposition involving 750,000 men an attempt was made to shut off debate. The gentleman wants to shut out amendments.

Mr. DYER. Mr. Chairman, is this to come out of my time?

The CHAIRMAN. It is not to come out of the gentleman's time. None of this is in order.

Mr. WINGO. Does the gentleman think that this amendment will be considered and voted on?

Mr. DYER. I trust so. The gentleman from Alabama, in charge of this bill—

Mr. WINGO. If the gentleman from Alabama is going to play this way, fast and loose—

The CHAIRMAN. The gentleman from Missouri [Mr. DYER] has the floor.

Mr. WINGO. I know it, and I want him to have a sufficient audience to hear him. Therefore I make the point of no quorum.

The CHAIRMAN. The gentleman from Arkansas makes the point of order that there is no quorum present. The Chair will count. [After counting.] Ninety-three gentlemen are present—not a sufficient number, not a quorum.

Mr. DENT. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Alabama moves that the committee do now rise. The question is on agreeing to that motion.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. DENT. I demand tellers, Mr. Chairman.

Tellers were ordered; and the Chairman appointed Mr. DENT and Mr. BARKLEY to act as tellers.

The committee again divided; and the tellers reported—ayes 6, noes 93.

The CHAIRMAN. A quorum is present. The Chair counts himself, as he has the right to do, and that makes 100, a quorum.

Mr. KEARNS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KEARNS. When a point of no quorum is made and the vote is being taken by tellers, if there are gentlemen in the Chamber who do not pass through the tellers, can the Chair count those?

The CHAIRMAN. Oh, yes. If the gentleman has in mind anyone who did not pass through the Chair will count him. But that is not relevant in this connection. There is a quorum present.

Mr. KEARNS. I wanted to know the parliamentary fact.

The CHAIRMAN. The Chair has stated the parliamentary fact. A quorum is present. The gentleman from Missouri [Mr. DYER] is recognized for five minutes.

Mr. DYER. Mr. Chairman, I regret that the chairman of the Committee on Military Affairs has reserved a point of order on this amendment. I trust that he will not make it. The officers of the Philippine Scouts have long sought from the Congress relief that they are, in my judgment, thoroughly entitled to. The amendment which I have presented is a bill that is now pending in Congress. I trust that in case a point of order is made and granted to this amendment in the House that the Senate will add it as an amendment to this appropriation bill when it reaches the Senate. A favorable report has been had upon it by the Committee on Military Affairs of the Senate, and which is as follows:

It is assumed that the Members of the Senate are familiar, in a general way, with the organization and history of the Philippine Scouts. For the proper explanation of this bill it is sufficient to say that since the substantial withdrawal of the Army from the Philippine Islands the Philippine Scouts have been the armed force, or constabulary, for the maintenance of order in the islands. Their duties have been important, their work severe, and they have always been noted for both fidelity and efficiency. The officers of the scouts have been in the main citizens of the United States taken from civil life. They are not permitted to go above the rank of captain. Above that rank command has been with the officers of the Regular Army. These captains and lieutenants have been appointed after rigid examination, and they are required to be examined at stated periods, whether promoted or not. Barring short leaves of absence at long intervals, they are required to live continuously in the islands, although Regular Army officers have short tours of duty on account of the climate and other unhealthy conditions. These captains and lieutenants of the Philippine Scouts are very competent men, for no others could take the natives of the islands and train them into an orderly, effective soldiery.

At this time there are about 165 scout officers. The bill under consideration relates to the conditions under which these officers may be retired, their retiring pay, and suitable provisions for appointment, confirmation by the Senate, and commission.

Under the existing law scout officers are retired under the conditions which govern the retirement of enlisted men of the Regular Army, except in the case of disability, and are given the retiring pay and allowances of master signal electricians of the United States Army. The present bill seeks to change the existing law, as follows:

First. These officers are to be permitted to retire after 20 years of service, instead of 30.

Second. The retired pay is fixed at 2½ per cent per year for each year of service, not exceeding, however, 75 per cent of the active pay.

Third. The officers now on the retired list are to be given the pay and allowances provided in this bill.

Fourth. That any such officer who has heretofore been discharged or resigned on account of disability contracted in the line of his duty is to receive the pay and allowances authorized by the bill.

The justice of awarding this further recognition to these men has been established to the entire satisfaction of the committee. It is not necessary to recapitulate the showing, for everyone who is acquainted with conditions in the Philippine Islands, and who knows the value of the service which these men have rendered, will at once concur in the conclusion we have reported.

Mr. Chairman, for the further information of the committee regarding the Philippine Scouts, I beg to call attention to the following memorandum, to wit:

Retired for disability (law of 1916)	12
Retired, due to Philippine service (no retirement law)	46
Total on retired list	58
Number back on active duty	51
Unfit for active duty	7
Total	58
On college duty	4
On recruiting duty	15
On quartermaster duty	22
Promoted (major, Signal Corps, National Army)	4
On other duty	6
Total	51
Commissioned 1901	30
Commissioned 1902	5
Commissioned 1903	3
Commissioned 1904	3
Commissioned 1905	10
Commissioned 1906	2
Commissioned 1907	2
Commissioned since 1907	3
Total	55
Appointed from officers of volunteers	2
Appointed from volunteers	2
Appointed from civil life	2
Appointed from noncommissioned officers of the Regular Army	49
Total	58

Mr. Chairman, I earnestly pray that before this Congress ends we will take favorable action touching the relief that the Philippine Scouts are entitled to. They are a splendid lot of officers, and they have rendered excellent service. There is no justification for denying to them that which this amendment would grant. I shall continue my efforts as best I can to secure its enactment into law, and I hope that the Committee on Military Affairs of the House will grant to it the earliest possible favorable consideration and thus aid me and other Members who are working for this small measure of justice and right for the officers of the Philippine Scouts.

Mr. LITTLE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. DENT. Mr. Chairman, I make the point of order on the amendment.

The CHAIRMAN. The point of order is sustained.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. Here is an item—

Additional pay to officers for length of service, \$4,506,933.

I should like to ask the chairman of the committee what estimates were submitted to justify that expenditure?

Mr. DENT. Does the gentleman wish me to go through the details?

Mr. WINGO. No; I want the gentleman to state whether there was any estimate furnished.

Mr. DENT. The information that the committee had was that it was based upon the law.

Mr. WINGO. In other words, the committee took the estimate of the Department, without checking it up to see whether this was a sufficient amount. They simply took the estimate of the department.

Mr. DENT. Yes.

Mr. WINGO. While I have the floor, so as to save time in the future, can the gentleman explain why he includes in the transportation section of this bill authority to purchase certain articles in unlimited quantities?

Mr. DENT. I do not know what the gentleman is talking about when he says we give authority to purchase articles in unlimited quantities.

Mr. WINGO. Under the item for the purchase of animals they may purchase, under this bill, not to exceed in value \$449,000,000 worth of animals.

Mr. DENT. This is just the language that has been carried in the bill for years.

Mr. WINGO. That is the trouble. The military appropriation bills have always been, and this one is, like the ways of God, past all understanding. If there ever was a mockery it is the effort of the House of Representatives to consider military appropriation bills as they have been framed for years past. The pending item shows it, and the explanation of the chairman of the committee shows it. No particular criticism should be made of this committee, because they are but pursuing the custom that has existed for years. So far as Members of Congress are concerned, and the information that they have, and taking the phrases that are in this bill, you might as well save a lot of stationery and a lot of time by simply sitting down and writing—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of \$1,100,000,000 be, and is hereby, appropriated for the support of the Army for the fiscal year ending June 30, 1920, to be expended in the discretion of the Secretary of War.

[Applause.]

Because that is what you do by this and every Army bill that I have been able to get hold of during my short term of service in this House.

Now, gentlemen, the war is over. There is not a man within the sound of my voice who can explain one-fifth of this more than \$1,000,000,000 that you authorize to be expended during the fiscal year, which will be the peace year of 1920. We are all familiar with the fact that for weeks we asked, "Where is the Army appropriation bill?" The members of the committee are not to blame, because the War Department did not bring it down here until just a short time ago.

How much seed can be purchased under this bill? It may interest some gentlemen, who come in here like horses out of a burning barn when appropriation for seed is made for the American farmers, to know that it is possible for the War De-

partment to purchase \$100,000,000 worth of seeds under provisions of this bill.

Mr. FOSTER. How will they be distributed?

Mr. WINGO. If they were to be distributed by Members of Congress you would hear a howl go up.

Mr. Chairman and gentlemen of the committee, in this bill you have an authorization for the erection of electric light plants that may run into the millions. In this bill you will find an authorization and if this bill passes a plant costing \$2,000,000 may be erected and one plant which the Government already has will be discarded and put in the scrap heap and salvaged. I challenge you to search through this bill and find where there is any well-defined—

Mr. BARKLEY. Where is the seed provision that the gentleman alludes to?

Mr. WINGO. Let the gentleman read the bill. It is so plain that a wayfaring man, though a fool, can not err therein. What else do you find? Here is an Army post that has been trying for years to get authority to build an expensive water plant costing millions where the post ought to be abolished. And yet under this bill they can erect a water system at that post costing not exceeding \$5,000,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WINGO. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Will the gentleman state the name of that post?

Mr. WINGO. Let gentlemen stay on the floor all the time. I challenge any man to match me in the attendance on the House and the attention given to items. Let some of these gentlemen ask for information and consideration, and men who are seldom seen on the floor, self-constituted battle-ax guardians of the Treasury, rush in here and talk about guarding the Treasury, talk about contracts without authorization. Where are these guardians of the Treasury when you want information about these items? They are as silent as the tombs of the Caesars. Where are they? I do not see any on the floor. They have gone "where the woodbine twineth and the doolittle mourns." [Laughter.] But when we pull them in here in their dress suits from the clubs, they come in and say, "Who in the hell did this?" [Laughter.] Ah, gentlemen, you can not camouflage the American people. You are not discharging your duties if you do not say to the Military Affairs Committee the time has come to call a halt. Make the committee go back and say to the War Department, "Bring in estimates by classification and by items. Do not provide for buying typewriters, ice machines, and electric plants in one paragraph." Why, they can purchase, and I have heard it said here by gentlemen who investigated it, that they contemplate purchasing, \$1,000,000 worth of automobiles, and God only knows what they want to do with them. Men howl about the expenditure for seeds for the farmers, and yet one gentleman yesterday on the floor called attention to the fact that you are burning up \$250 worth of gasoline each day to provide for automobiles for these officers in the city. Where are these guardians of the Treasury? You have got gentlemen on this floor who open their mouths like a nest full of young jay-birds and swallow any worm that the War Department sticks down their throats. [Laughter.]

I for one am sick and tired of it, and I am going to say to you that you are not going to pass this bill by my vote unless the committee tells us something about the estimates, tells us what the War Department expects to do with this billion dollars—facing, as we are, another liberty loan, facing a fixed annual interest charge of nearly \$2,000,000,000 in the future, with men advocating a commodity tax, so that whenever a little child goes to buy a book to go to school it will have to pay a tax on it—men advocating that the man who toils and who earns not more than \$500 a year ought to be made to pay an income tax; and I talked with a man the other day who advocated that. You are going to tax the life out of the American people, to have the money squandered in bills that are not itemized, and not even the committee can tell you anything about it. It is a disgrace to the American Congress to do any such thing. Oh, but gentlemen say we are tired; we do not want to hear you; we want to go home; and we do not like to hear you talk. Well, you do not have to sit here and hear me talk. I do not have to get this floor by the condescension of any man. I know more about the rules of this House than these little whippersnappers who complain about my taking up time, who want to know how much time I want whenever I do want to get time, and there is not a member of the Committee on Military Affairs who knows enough about the rules to prevent my getting the floor. They do not know any more about the rules of the House than

they do about the bill they have brought in here. What are we going to do about it? We are going to vote to accept a lot of it, with no estimates, but just proceed upon the theory that the War Department says this is what they want, and we will give it to them.

If you do not call a halt on this thing, you may just as well bring in a bill and say, "Here is the key to the United States Treasury," and turn it over to the War Department. This bill is for the first year after peace, for 1920, and it carries more than the total annual appropriation for the support of the entire Government prior to the war. It is time to call a halt. [Applause.]

Mr. JAMES. Mr. Chairman, I have read the very clear and concise report of the Committee on Military Affairs, and I have heard the speeches of the gentleman from Alabama [Mr. DENT], the chairman of the committee, the gentleman from Illinois [Mr. McKENZIE], and others, and I have tried to find out from the hearings and from their speeches how many men are going to be used in this standing Army of 500,000 men over here and how many of the 500,000 men will be over there. And of the men in the Army over there, I would like to know how many are going to be used as "crusaders" and how many are going to be used for police duty in Germany. If they are going to be used as policemen in Germany, does the United States or Germany foot the bill? It seems to me that a committee representing the American Congress should be able to tell us, as American Congressmen, and tell the American people where these men are going to be. But I see from the temporary headquarters of the American people over in Paris, in the Washington Post this morning, that we are going to use them over there, because, the Post said this morning, the United States, under the society-of-nations plan as it now has been amended, will maintain an army of not less than 500,000 men, which, after authorization by the United States Senate, shall be used whenever necessary.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. JAMES. I will not. The gentleman from Iowa [Mr. HULL] said they expect to get those men over there. You are not going to get many men over there, because the average man over there does not figure that he is fighting for democracy.

I had a letter from a friend of mine—a volunteer in two wars—that tells of what some of the boys are thinking over there:

I am afraid that there is a storm brewing, and that you fellows in Congress will have some very hard problems to settle from now on. To say that the boys are dissatisfied is putting it mildly. Some things could not be helped, but there is a lot that could be avoided—one thing is certain, the sooner you get some of the boys home the better, especially those who have been over here for the last 12 to 18 months. We are losing too much money, now that the war is over. I would like to say more, but guess it will keep. But there is one thing I want to impress on you, and that is that the American Army will have a hard time living down the feeling created against it. Talk about "fighting for democracy," why we are the most autocratic army in the world—don't think the Germans have anything on us. I have said more than I intended, but you will find more to it than you fellows over there realize. Your friend and comrade.

Had another letter the other day from one of my friends inclosing a letter from one who had been across. He complained of conditions at the United States Naval Station at Pelham Bay, N. Y.

I wrote to the Navy Department that it had been reported to me that men at the camp were "roped in," and that the men could not even "go to the Y. M. C. A." I stated that it was further reported that in case they wanted paper and stamps they had to get men "that pass by from other camps" to get it for them. I also stated that it was reported "they sure are sore at the overseas boys."

I told the department that I could not believe that these reports could be true and asked him to investigate, as I did not and could not believe that men from overseas were treated like men "in a prison camp."

Was informed that the matter would be investigated at once, and yesterday I received a letter from the Navy Department inclosing one from W. B. Franklin, commander, United States Naval Reserve Force. It reads as follows:

NAVAL TRAINING CAMP,
PELHAM BAY PARK,
New York, N. Y., February 7, 1919.

Hon. JOSEPHUS DANIELS,
Secretary of the Navy,
Navy Department, Washington, D. C.

MY DEAR MR. SECRETARY: Statements contained in the letter inclosed in yours of the 4th instant from Hon. W. FRANK JAMES are due to the fact that some of the men who have returned from overseas have either sold or lost certain portions of their uniforms and can not therefore appear in the designated uniform of the day. Pending their release, such men are placed in the Second Regiment and are not allowed to wander at large about the camp between colors in the morning and

colors in the evening. During most of this time the Y. M. C. A. is closed, as during the drill period we allow no man except those on the sick list admittance to the building.

The report that the men at this camp are sore at the overseas boys is, to the best of my knowledge and belief, untrue. Some few of our men consider that the giving of preference in releases to the men who have been overseas is unjust, but they are not "sore at the overseas boys."

Every effort is being made here to maintain discipline at its highest standard as consistent with conditions prevailing after the armistice, and to some who have had but little military discipline conditions may seem irksome.

Very truly, yours,

W. B. FRANKLIN,
Commander, United States Naval Reserve Force.

Now, let us see what Chaplain Mark has to say in the "Weekly Bulletin of Activities at all Y. M. C. A. Huts," week beginning January 19, 1919:

[Naval training camp, Pelham Bay Park, N. Y. William B. Franklin, commander the disciplinary regiment.]

"He that deviseth to do evil shall be called a mischievous person." (Proverbs xxiv, 8.)

Emphasis needs to be placed on the misfortune of transfer to the disciplinary regiment. This regiment needs no introduction. It is known among the men as the hades or gehenna of the camp, and those who constitute it, although wearing no stripes on the back or ball or chain around the ankle, are known as and are called mischievous persons.

Hence you are asked to avoid this disciplinary regiment as you would a plague, for entrance into its gates brings sorrow and unhappiness. Instead of the joyful task which fills the heart with cheer, the unfortunate one shall shovel coal on the proverbial coal pile; when the call of the jitney comes to this wearied one at 1 on Saturday he shall feel like a bird in an ungilded cage; the job, full of prospect and romance, which awaits the unlucky one on the outside shall wait in vain, for his cries for release shall only find an echo on the walls of his prison house.

To sum up in a few words the misfortunes of the unlucky members of this regiment, they would be: "No liberty," "no release," and "all the dirty work to do." Now, when a sensible man realizes what the penalties are for breaking the rules and regulations he is going to be mighty careful about getting into trouble.

Remember, men, you are not at Eastleigh, or Killingholme, or Brest, or Pauillac, whatever these places may mean to a man in the matter of discipline. You are stationed at Pelham, which has been noted for its strict adherence to discipline, which has efficiently trained thousands of seamen, which has been one of the biggest and best naval training stations in our country.

That bridle on the tongue, that finish to the uniform, that strict observance of salute and of orders in general, will keep you on the straight path, will prevent you from falling into error's ways, will keep you from entrance into the disciplinary regiment, which to know is to avoid.

This is a little bit of friendly advice, which I hope you will take in a friendly way.

The same day I wrote this man and asked him to send full particulars of their discharge. Here is what he sends me from the chaplain of that post.

Upon looking over the next page, I find that the gentleman is Chaplain John N. Mark, United States Naval Reserve Force.

On the same page we find:

Camp motto for the week: A test of character is patience under trial.

This is by Camp Pastor Bowers.

On the next page, under the heading of Chaplain's notices, we find the following:

You are urged to take particular notice of the front page editorial. Read it carefully and let it be a guiding word to keep you from an undesirable experience.

After reading the above, one can hardly believe that the Second Regiment is used entirely for men who have lost or sold part of their uniform.

On the next page we read:

YOUR CASE AND MY CASE.

Camp Pastor Bowers has provided our motto for this week, and it is a good one. "A test of character is patience under trial." Patience is a much-needed virtue among release seekers who are expecting the Government to do in a few weeks what can only be accomplished in months. From a mathematical standpoint it is impossible to release all members of the Naval Reserve in a short time; yet there are thousands at Pelham and elsewhere who expect to get out of the service simply by waving a fairy wand. It just can't be done, and it would be well for all of us to remember that.

Patience is a good thing to practice right now, and the man who waits with a smile is the man known to have character.

(Signed) CHAPLAIN MARK.

I presume when he says "your case and mine," he means that the boys are anxious to go home, and his case is he is anxious to have them stay in, so that he can hang onto his job.

If all the Y. M. C. A. huts print such piffle as that and such reflections on the boys, it is not strange that they are not very popular with the soldiers, sailors, and marines.

Now, let us see what the enlisted man says. He is now out of the service:

I received your welcome letter last week and was glad to see I still had a few friends. I would have written to you sooner, but as I received your letter Thursday afternoon and was mustered out on Friday, my time has been well taken up.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JAMES. Mr. Chairman, I ask unanimous consent for five minutes more. I want to read this soldier's letter.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. LARSEN. Mr. Chairman, I object.

The Clerk read as follows:

PAY OF ENLISTED MEN.

For pay of enlisted men of the line, \$137,861,770.72.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. There has been considerable reference ever since the bill was under consideration as to the number of men that this bill in its appropriations sought to provide for. Here we are appropriating a lump-sum amount of \$137,000,000 for pay of enlisted men. Will the gentleman give us an estimate of the number of men that will pay?

Mr. DENT. That would pay the number of men, 509,000 men.

Mr. STAFFORD. So if there is a larger number than that on the average during the year there would necessarily have to be a deficiency appropriation to pay them?

Mr. DENT. Well, I can not say that; the average pay would be for 905,000.

Mr. STAFFORD. No; my question was, if there was a larger number during the fiscal year than the average number of 509,000, it would necessarily require an additional appropriation?

Mr. DENT. Oh, I did not understand the gentleman; that is true.

Mr. STAFFORD. I withdraw the pro forma amendment.

Mr. JAMES. Mr. Chairman, I move to strike out the last word. I want to read a letter if the gentleman from Georgia will consent.

Mr. LARSEN. I have no objection to the gentleman extending his remarks and putting any paper in the Record, but I do object to his speaking on a matter not related to the paragraph.

Mr. JAMES. Mr. Chairman, I have moved to strike out the last word. On the same date—

Mr. LARSEN. I make the point of order, if the Chairman please, that the gentleman's remarks are not confined to the paragraph under consideration.

Mr. BAER. The gentleman has not made any remarks.

The CHAIRMAN. If the point of order is made, the gentleman must speak to the paragraph.

Mr. CRAMTON. Mr. Chairman, I have an amendment to offer.

The CHAIRMAN. If the gentleman moves to strike out the last word, he must speak to the last word, and the last word in this case is "a hundred and thirty-seven million and odd dollars."

Mr. JAMES. Mr. Chairman, I move to strike out the whole item. I do not think, Mr. Chairman, any part of this money should be used for pay of men about whom I am going to talk. "I received your welcome letter last week."

Mr. LARSEN. I make the point of order that that is not germane to the amendment.

Mr. LITTLE. The gentleman moved to strike out the whole item.

Mr. JAMES. Mr. Chairman, it seems to me if part of this money is going to be used for the pay of these people about whom I desire to say a few words—

The CHAIRMAN. Of course, the gentleman can speak to his motion, but he must speak in a parliamentary way.

Mr. JAMES. "You ask me to give conditions at Pelham Bay."

Mr. LARSEN. Mr. Chairman, I make the point of order that the gentleman's remarks are out of order.

Mr. JAMES. I was just going to get to the part of the letter where this man says that this camp is a real hell hole for the men who are there.

The CHAIRMAN. The gentleman must proceed in order and speak to his motion.

Mr. JAMES. I will get it later.

You asked me to give full conditions of Pelham Bay. That which I will say is not about the whole camp but of the Second Regiment, which was a real hell hole while we were there.

Well, we landed in New York the 16th of December and were taken to Pelham Bay camp and placed in this Second Regiment.

You will note that they were placed there immediately upon landing, while the genial chaplain would give us to understand it was for "mischievous persons."

He then states further:

Part of the boys were placed in the isolation camp, and the same night they were made to fill out requests for releases. They were worked on at once. We had to wait a week before they would let us put in a request. We all were about to turn them in when they said we would have to have two affidavits signed by our notary public.

That put it off for another week and a half. When we turned them in they would put them in a drawer and say they were "no good," but we would have to wait and be mustered out automatically. We were there a week when they gave us a chance for a furlough, with the understanding and signing of papers that we would not go near Washington, D. C., or talk with any naval officers. The only thing we could see for that was they were crooked and were afraid we would report them. One of the boys lives in Washington, D. C., and he had to swear his head off and sign three or four papers that he wouldn't go near the place before they would let him go. As soon as most of us had in our requests they made our regiment into a disciplinary one. We had done all they gave us to do, and did guard duty, worked on the coal pile, and all that was to be done. So we couldn't see why our regiment should be treated that way.

They put ropes all around the places and would not let us go to the Y. M. C. A. for even paper or stamps to write a letter home. We had to get a chief petty officer to go out and get it.

We went to headquarters to see what we had done, and they would kick us out. They tried every way they could to get a few of us in trouble. When they couldn't get any of us they brought boys from other regiments that were caught out of the uniform of the day so it would not look so bad to us. They were giving us food not fit for a dog to eat, and when six of the boys showed it to the officers they put them on restriction and extra duty for two weeks. They were after us every day to try and catch us in something, so they could put us on report, that it almost set us crazy, and there were many nights that the bunch would sit in the hammocks and ask one another which were willing to stick it out another day.

We had a few of those "overnight" ensigns, and the way it looked to us was that if they mustered us out they would lose their good jobs. I can give you the addresses of a dozen boys, and they will tell you the same story and even more. There are a thousand and one things I could tell you about those fellows. They were sure sure at the overseas boys, and they got their revenge. I am sending you a bulletin, which has a little of the chaplain's idea of us. I thank you for writing to me and being willing to see what you could do for me. I hope if any more of the Michigan boys get in that camp they won't be treated like I was. Thanking you again for your kindness.

Mr. KEARNS and Mr. KEATING rose.

The CHAIRMAN. For what purpose does the gentleman from Colorado rise?

Mr. KEATING. For the purpose of pouring oil on the troubled waters. I desire to submit a unanimous-consent request. I request that the gentleman from Michigan [Mr. JAMES] be allowed five minutes to proceed out of order.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent that the gentleman from Michigan shall be allowed to proceed for five minutes out of order. Is there objection?

Mr. LARSEN. Mr. Chairman, if the purpose is to permit the gentleman from Michigan to read to the House letters which he has received and which can do nothing but bring criticism on our Government, then I shall object.

The CHAIRMAN. The gentleman from Georgia objects.

Mr. KEARNS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KEARNS. The gentleman from Michigan [Mr. JAMES] has the floor in his own right, and moved to strike out the last word. As I understand, he has a letter there that he wishes to read and show to the House why we ought not to appropriate \$137,861,770.72 to pay men who are in a camp of that kind to which he refers.

Mr. LARSEN. Mr. Chairman, I make the point of order the gentleman is not making a parliamentary inquiry. If that is the object of the gentleman from Michigan, as he says, I think he could better argue it and be in order than to make a speech of this kind.

The CHAIRMAN. The Chair will just state this, that no one who occupies the chair is more disposed to see that Members obtain freedom in the matter of debate than the present occupant. Of course, gentlemen understand the rules of the House. The motion is to strike out this paragraph: "For pay of enlisted men of the line, \$137,861,000." Anything that may be fairly considered as an argument in support of that motion the Chair is certainly not going to interfere with.

Mr. CURRY of California. Mr. Chairman, we all want to get through with this bill as soon as possible, and very few have taken up the time of this House. In the interest of economy of time I move that the gentleman from Michigan [Mr. JAMES] be given five minutes in which to proceed out of order.

The CHAIRMAN. The gentleman can not do that.

Mr. FOSTER. That is not in order, Mr. Chairman.

Mr. WINGO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WINGO. That was done just three days ago by the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. That was in respect to an entirely different situation.

Mr. WINGO. Will the Chair, for my benefit, as I am very anxious to obey the rules, explain the difference in the situation?

The CHAIRMAN. At that time there was no other business before the House.

Mr. MANN. And that was in the House.

The CHAIRMAN. That was in the House; and the Chair stated then that he was not so sure that even that was permis-

sible, but the Chair put the motion, because evidently the House wanted that to be done for a short time in arriving at the matter.

Mr. DENT. I ask unanimous consent that the gentleman from Michigan be allowed to proceed for five minutes. I trust the committee will help us expedite the reading of this bill.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the gentleman from Michigan may proceed for five minutes. Is there objection?

Mr. HARDY. Reserving the right to object, let me say that we have been here worrying a long time. It was suggested that the gentleman from Michigan might put this in the Record. We have heard so many letters read. Would it not answer every purpose, and can not the gentleman yield that much to the comfort and feelings of the House?

Mr. JAMES. I want to call the attention of the House to the fact that when they ask for discharge papers the soldiers have to make an affidavit to the fact that they will not see the Members of Congress and any officers. And these men had to attach affidavits of that kind before they could get discharged. One had to make out three or four affidavits in order to have his application come here.

The CHAIRMAN. Is there objection?

Mr. LARSEN. Mr. Chairman, I presume almost every Member of Congress has a lot of letters similar to the ones the gentleman wants to read to the House, and if he will insert his in the Record under an extension of remarks we will all have time to read them before the House meets to-morrow morning or at such hour as may be agreed upon.

Now, I submit that it is not fair to the Military Establishment of this country for letters to be read here in the House—

Mr. WINGO. Mr. Chairman, I make the point of order that the gentleman is not confining his remarks to the pending question.

Mr. LARSEN. The gentleman from Arkansas has spent a good deal of the time to-day in making speeches himself.

Mr. BAER. The gentleman has already taken up more time than would have been taken by the reading of the letters.

The CHAIRMAN. Does the gentleman from Georgia object?

Mr. LARSEN. Yes; I object.

The CHAIRMAN. The gentleman from Georgia objects.

Mr. WINGO. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. WINGO. The gentleman who has the floor [Mr. JAMES] moves to strike out the last word of the item covering the pay of enlisted men. He has some letters in regard to enlisted men. He has the right to read what he has there on the proposition, on an item providing for enlistment. A mere tyro in parliamentary law would not deny that he could do that.

Mr. MOORE of Pennsylvania. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Pennsylvania makes the point of order that there is no quorum present.

Mr. MOORE of Pennsylvania. It is just in the interest of saving time.

Mr. CURRY of California. Mr. Chairman, I hope the gentleman will not make that point of order. When I was up I knew that my proposition was out of order.

The CHAIRMAN. The Chair will count. [After counting.] Sixty-five gentlemen are present, not a quorum. The Clerk will call the roll.

Mr. DENT. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Alabama moves that the committee do now rise. The question is on agreeing to that motion.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. DENT. I demand tellers, Mr. Chairman.

Tellers were ordered; and the Chairman appointed Mr. DENT and Mr. DARROW to act as tellers.

The committee again divided; and there were—ayes 15, noes 67.

The CHAIRMAN. The committee refuses to rise. A quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Almon	Borland	Caldwell	Classon
Ashbrook	Britten	Cantrill	Claypool
Aswell	Browne	Carew	Cleary
Ayres	Browning	Carlin	Coady
Bacharach	Brumbaugh	Carter, Mass.	Connelly, Kans.
Birch	Buchanan	Chandler, N. Y.	Copley
Bland, Ind.	Burroughs	Church	Costello
Booher	Butler	Clark, Fla.	Cox

Dallinger	Griest	McKinley	Slomp
Deaney	Hamill	McLaughlin, Pa.	Smith, C. R.
Dewalt	Hamilton, N. Y.	McLemore	Smith, T. F.
Dill	Hamlin	Madden	Snell
Dooling	Harrison, Miss.	Maher	Snyder
Doremus	Harrison, Va.	Mason	Stedman
Doughton	Haskell	Mays	Steele
Drukker	Haugen	Merritt	Steenerson
Dupré	Heaton	Miller, Minn.	Stephens, Nebr.
Eagan	Heintz	Montague	Stiness
Edmonds	Helm	Mudd	Strong
Essen	Helvering	Neely	Sullivan
Estopinal	Hensley	Nelson, J. M.	Swift
Evans	Hersey	Norton	Tague
Fairchild, G. W.	Hicks	O'Shaunessy	Taylor, Ark.
Farr	Hillard	Overmyer	Temple
Ferris	Hood	Padgett	Templeton
Fess	Howard	Park	Tinkham
Flood	Husted	Peters	Towner
Flynn	Hutchinson	Phelan	Van Dyke
Fordney	Ireland	Porter	Vare
Foss	Johnson, Ky.	Pou	Venable
Francis	Johnson, S. Dak.	Powers	Vinson
Frear	Johnson, Wash.	Pratt	Waldow
Freeman	Juul	Price	Walton
Gandy	Kelley, Mich.	Randall	Webb
Gard	Kennedy, R. I.	Rankin	Whaley
Gillett	Key, Ohio	Riordan	White, Me.
Glynn	Kless, Pa.	Roberts	White, Ohio
Godwin, N. C.	Kreider	Rowland	Williams
Goodall	LaGuardia	Russell	Wilson, Ill.
Goodwin, Ark.	Langley	Sanders, Ind.	Wilson, Tex.
Gould	Leshner	Sanders, La.	Winslow
Graham, Ill.	Linthicum	Scully	Woods, Iowa
Graham, Pa.	Lobeck	Sears	Woodard
Gray, Ala.	Lundeen	Shackelford	Young, N. Dak.
Gray, N. J.	McClintic	Sims	
Gregg	McCormick	Sisson	

The committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the Army appropriation bill, H. R. 15835, found itself without a quorum, whereupon he caused the roll to be called, when 247 Members, a quorum, answered to their names, and he reported the names of the absentees to be printed in the Journal and Record.

SPEAKER PRO TEMPORE.

The SPEAKER. The Chair assigns the gentleman from Illinois [Mr. FOSTER] to preside for the rest of the evening, and assigns the gentleman from Georgia [Mr. CRISP] to preside to-morrow morning until I can get back from the State Department. The committee will resume its session.

ARMY APPROPRIATIONS.

The committee resumed its session, with Mr. SAUNDERS of Virginia in the chair.

The CHAIRMAN. The gentleman from Michigan had the floor at the time the point of no quorum was made. If he does not desire to resume the floor the Clerk will read.

The Clerk read as follows:

For pay of enlisted men of the Staff Corps and departments, \$61,534,421.25.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I do not recall that any prior appropriation bill appropriated for enlisted men in departments. I know there are a great many men who are being used in the departments for clerical services, and it has been the effort of the legislative subcommittee to correct that.

Mr. DENT. I can settle the gentleman's trouble by moving to strike out the words "and departments." I offer that amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

Mr. STAFFORD. I withdraw the reservation of the point of order.

The Clerk read as follows:

Amendment by Mr. DENT: Page 16, line 14, strike out the words "and departments."

The amendment was agreed to.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Will the gentleman inform the House as to the number of enlisted men who are detailed for service with the Staff Corps? Here we are providing over \$61,000,000 for the enlisted men of the Staff Corps.

Mr. DENT. Yes; I can give the gentleman that, but I do not recall the figures right now. They were given in the hearings.

Mr. STAFFORD. What corps are included in the designation "Staff Corps"?

Mr. DENT. The Corps of Engineers, the Medical Corps, the Signal Corps, the Adjutant General's office, the Quartermaster Corps—

Mr. STAFFORD. The gentleman can not give the amount of appropriation that was carried prior to our entrance into the war for these respective services?

Mr. DENT. The clerk of the committee has the bill here. I can give the gentleman the figures by looking it up.

Mr. STAFFORD. I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Additional pay for length of service to enlisted men, \$5,055,120: *Provided*, That the provisions of section 10 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, in so far as it increases the pay of the enlisted men of the Army, be, and the same hereby are, continued in force and effect from and after the date of the approval of this act.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph and wish to inquire of the chairman of the committee as to the interpretation under the conscription act about the wording that this increased salary, which was carried by the amendment of the gentleman from Iowa [Mr. Goon], of \$15 additional to the regular pay should continue in effect until the termination of the emergency. Will the gentleman inform the House as to what the hearings disclose as to how long this increased pay to our enlisted and inducted force will continue under that phraseology?

Mr. DENT. I really do not understand the gentleman. I will have to ask him to repeat that, because there is so much confusion.

Mr. STAFFORD. We have here a paragraph providing for making permanent the temporary provision to increase the pay of the enlisted men, which under the draft act was to continue only until the termination of the emergency. I am asking the gentleman whether he can inform us as to when it will be considered that the emergency is terminated and this bonus of \$15 will end?

Mr. DENT. The gentleman is asking me a legal proposition.

Mr. STAFFORD. I do not know whether it means until the treaty of peace is signed or whether it means a certain time after that.

Mr. DENT. The gentleman is asking me a legal question which he or any other good lawyer can answer as well as I can.

Mr. STAFFORD. I thought perhaps the hearings had disclosed the answer when it was presented for the consideration of the committee.

Mr. DENT. The gentleman knows that in no hearings would they settle a legal proposition like that.

Mr. STAFFORD. The Judge Advocate of the Army might construe it in making a request for the continuance of this increase of pay.

Mr. DENT. The gentleman does not expect me to answer a legal question. It is not a question of fact.

Mr. STAFFORD. Mr. Chairman, I recognize that perhaps there should be some increase of pay as was originally provided to continue while the temporary force is in existence, but I do not think we are in a position to burden the Government with an annual expense of \$50,000,000 or \$75,000,000 before we know what the conditions are really going to be.

Mr. KAHN. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. KAHN. In answer to the gentleman's question, I will say that the War Department has been construing the end of the existing emergency as happening four months after the definitive terms of the treaty of peace are proclaimed.

Mr. STAFFORD. That is the information I desired. Mr. Chairman, I hardly think it is a proper time, under the present conditions of the Treasury, to raise the pay of the soldier force as was provided merely for the duration of the war. This will cast a burden on the Government of \$50,000,000 to \$75,000,000 annually. We are getting men in the Navy at the rate of 1,600 a week, and everybody recognizes that there is a business depression throughout the country. Men are seeking employment and can not find it. I think it a good time to postpone the raising of pay until we know more about the conditions, and I make the point of order on the proviso.

Mr. DENT. It is subject to a point of order.

The CHAIRMAN. The point of order is sustained.

Mr. BANKHEAD. Mr. Chairman, I offer the following amendment as a new paragraph.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Page 17, at the top of the page insert a new paragraph, as follows:

"The Secretary of War is hereby authorized and directed, immediately upon the approval of this act, to discharge from the military service any soldier or enlisted man who was drafted or enlisted for the duration of the war with Germany upon the application of such drafted or enlisted man supported by his own affidavit upon any one or more of the following grounds:

"1. Dependents at home wholly dependent upon his labor or assistance.

"2. In all cases where the United States is now paying dependents a family allowance.

"3. To those soldiers who at the time of entering the military service were engaged exclusively in agriculture for a livelihood."

Mr. DENT. Mr. Chairman, I reserve a point of order on it. Mr. BANKHEAD. Mr. Chairman, if the point of order is going to be made, I do not care to argue it unless we can have a vote on it.

Mr. DENT. I make the point of order. I think that we have taken care of that by the amendment offered by the gentleman from Missouri [Mr. Igoe].

Mr. BANKHEAD. Mr. Chairman, I want to say just a word. If this amendment is germane to the bill and in order, it would be so under the subdivision 2 of Rule XXI, under what is commonly known as the Holman rule. That rule is as follows:

Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as being germane to the subject matter of the bill shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill.

I desire to call the attention of the Chair to a ruling made by the present occupant of the chair, on page 507 of the Manual:

There are a few general principles heretofore announced for the interpretation of the Holman rule proper to be stated in this connection. I quote again from Mr. Chairman Wilson, concurring with Speaker Kerr. The purpose of the rule (the Holman rule) is most beneficent and proper, and it should have a liberal construction in the interest of retrenchment.

The Chair will further say that it is not enough for the Chair to think that an amendment may reduce expenses, or that it is likely to reduce expenditures.

The precedents say in this connection that the amendment, being in itself a complete piece of legislation, must operate *ex proprio vigore* to effect a reduction of expenditures. The reduction must appear as a necessary result—that is, it must be apparent to the Chair that the amendment would operate of its own force to effect a reduction. But it is not necessary for this conclusion of reduction to be established by the rigor and severity of a mathematical demonstration. It is enough if the amendment, in the opinion of the Chair, will fairly operate by its force to retrench expenditures in one of the three ways indicated. The result must be a necessary result—not a conjectural result or a problematical result.

In the spirit of that decision, it seems to me—construing it liberally for the purpose of securing retrenchment in expenditures—that the Chair would take notice of the fact that there are hundreds and thousands of men in the Army still in the service, seeking to be discharged by this amendment, who have dependents at home, though I do not know whether it is the rule here that the Chair takes judicial notice of parliamentary situations or of existing law. It must be apparent to the Chair, however, that there are thousands of men in the Army now seeking to be covered by this amendment who are the beneficiaries of family allowances, and that a number of them were engaged in agriculture at the time of their enlistment in the service. In view of the liberal spirit which the Chair said on a former occasion should be invoked, it seems to me that under these decisions, and under the two precedents with reference to striking men from the pension rolls and reducing the number of Cavalry regiments in the Army, the point of order is not well taken.

Mr. DENT. Mr. Chairman, all that I would like to say on this proposition is to ask the gentleman to what section this is germane?

Mr. BANKHEAD. To the section just read, respecting the pay of enlisted men.

Mr. DENT. But that has been stricken out on a point of order. That is the whole proposition. I have nothing more to say.

Mr. BANKHEAD. I think it is germane as the general paragraph of the bill, because the Chair will remember that in the construction of the Holman rule it is said that it relates to any item of the bill, wherever it may be offered.

The CHAIRMAN. The Chair recollects very well the ruling cited by the gentleman from Alabama [Mr. BANKHEAD]. It was a ruling made in connection with the Army appropriation bill about eight years ago, and the Chair thinks the principles announced in that ruling are sound.

Referring to the ruling, it will be noted that it announces that the operation of the amendment must necessarily reduce expenses, not theoretically reduce them, not make it highly probable or likely that they will be reduced, but that sufficiently and necessarily by its own force it will operate a reduction of expenditures. It is not necessary, however, to show that that reduction would be \$1,000, or \$5,000, or any particular indicated amount. The amendment under consideration gives discretion to certain officials. It does not effect an automatic or certain reduction of the Army. The cases cited by the gentleman, to wit, of the Cavalry regiments, and the pension cases, were cases where a definite elimination was effected. No power of discre-

tion was given to any official in the Pension Bureau, but certain names were stricken from the pension rolls. That was true, too, in the case of the Cavalry regiments. They were eliminated, and while one might not be able to figure to the last dollar what the reduction would be, of necessity the elimination of several Cavalry regiments would effect a reduction in the general cost of the Army. On this case discretion is given to certain officials.

Mr. BANKHEAD. Oh, I direct the Secretary of War shall do certain things.

The CHAIRMAN. If this amendment means that when a soldier files the affidavits referred to there is no discretion left in the superior officers, but that automatically the soldier filing the affidavits must be discharged—

Mr. BANKHEAD. That is the purpose of it.

The CHAIRMAN. The Chair does not so understand the amendment. The Chair does not understand that the superior officers are to be left without discretion and that the filing of the affidavits will effect an automatic discharge. If the gentleman will so word his amendment as to give it that effect, namely, that when a soldier files his affidavits thereupon, ipso facto he will be discharged, the Chair would have no difficulty in finding that the amendment in that form would effect a reduction in expenses and therefore would be in order.

Mr. BANKHEAD. I do not desire to offer the amendment in the attitude suggested, but I thought the language made it a mandatory duty to the Secretary of War.

The CHAIRMAN. The Chair does not so understand the amendment. As he understands the amendment, it leaves discretion in the official with whom the papers shall be filed. If the Chair properly interprets the amendment, then these applications for discharge will be passed on by officials having authority to approve or deny the leave. It is not possible for the Chair to forecast how that discretion will be exercised, and therefore there is too much of the problematical about the results of the amendment to justify the Chair in saying that of necessity this amendment will necessarily operate to reduce expenses.

The Chair considers that a ruling sustaining the point of order comes within the principles announced in the ruling cited and is in conformity therewith. The point of order is sustained.

The Clerk read as follows:

Seventeen clerks, at \$1,200 each per annum, \$20,400.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. It appears that this clerical force is being increased apparently over what was provided during the emergency. Is that so?

Mr. DENT. No; on the contrary, the clerical force, or rather the committee agreed to the clerical force as of the appropriation bill of 1917 with one exception, that during the war we did increase; no, not even that; it is the same.

Mr. WALSH. As prewar?

Mr. DENT. We continued the provisions of the appropriation act of 1917.

Mr. WALSH. They are the same practically as they carried before?

Mr. DENT. Yes; in the appropriation act of 1917. That is what the committee agreed to.

The Clerk read as follows:

Eleven clerks, at \$1,800 each per annum, \$19,800.

Mr. SIEGEL. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee how he expects to demobilize the Army with 170 Army field clerks, when The Adjutant General asked for 1,200, based on an Army of 500,000 men?

Mr. DENT. I will state to the gentleman that I think we will have to offer an amendment to that. I have a letter from the Chief of Staff.

Mr. SIEGEL. We have reached that point now. I suggest that we pass over the section, or at least pass line 17 to line 25.

The CHAIRMAN. Without objection, that will be passed over temporarily.

Mr. DENT. I will ask consent that it be temporarily passed.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Chairman, the gentleman from New York was speaking of Army field clerks. A little while ago I had a very distressing case of an Army field clerk, I think located up here at Hoboken or New York or some seaport town, who was asking for his discharge, and The Adjutant General informed me that they could not discharge him; that they had to have somebody to do that work, and that an order had been issued

of some sort forbidding them to put anybody in his place. Does the gentleman know anything about such an order as that?

Mr. DENT. I do not.

Mr. SIEGEL. I will say to the distinguished gentleman from Illinois that an order was issued at the port of debarkation, which is Hoboken, to the effect that no man should be discharged there until some orders came from Washington in each particular case. I have seen the order. I have read it, and the reason for it was that Gen. Pershing had cabled over several weeks ago asking for additional Army field clerks; that he needed them on the other side, and they had declined to return any Army field clerks from Europe, regardless of their condition, because they needed them badly.

Mr. MANN. Well, the case I had occurred, I think, in December—more than two or three weeks ago—and I might add that I could not find anyone around the War Department who would defend the order that had been issued. Yet there it stood; nobody defended it; everybody said it was a wicked proposition.

Mr. SIEGEL. I do not. I do not want the gentleman to understand I am defending the order.

Mr. MANN. I am not speaking of the gentleman from New York, but I am talking about the War Department.

Mr. SIEGEL. I will say this, however, in justice to the men at the port of debarkation, that they are handling at that place one of the biggest jobs that has ever confronted any man. Men are coming back to that port in thousands, and they have not a sufficient number of the Army field clerks to check up the men and their belongings. They can not do the work there properly, because they can not get more field clerks; because under the law you can not employ any more than you have at the present time. I say this in justice to Gen. David C. Shanks, Col. Watts, Maj. Robbins, Capt. Townsend, and the other officers and men at Hoboken, who are working untiringly to facilitate the landing and movement of the returning troops. They deserve credit and should receive it.

The Clerk read as follows:

Additional pay while on foreign service, \$8,000.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. I should like to know of the committee why this item is increased over the same item for last year, during the war, providing for the same number of clerks and employees that you had in the appropriation bill for 1918? What is the necessity for the increase?

Mr. DENT. I did not understand the query exactly. Does the gentleman wish to know why it is increased over the appropriation of last year?

Mr. WINGO. Yes.

Mr. DENT. I have just asked that the item be passed for the present in order to look into a letter which I have just received from the General Staff on the subject.

Mr. WINGO. I thought that was the paragraph at the bottom of page 18. I understood you had the question of numbers passed. You have the same number that you had for 1918.

Mr. DENT. Does the gentleman refer to additional pay for those on foreign duty?

Mr. WINGO. Additional pay and additional commutation.

Mr. DENT. It is a pure guess. That is all it is. If the gentleman wants to strike it out, he can do so. We can not tell exactly.

Mr. MANN. Of course, the men who have been on the other side have been increased.

Mr. WINGO. Why the increase in the other item in commutation of quarters?

Mr. FIELDS. The statute provides for pay for foreign service.

Mr. WINGO. You have items for the same number of men and the same item and the same amount as in war times.

Mr. FIELDS. The men are still there.

Mr. WINGO. There is no doubt that the same number of men are still there. Why increase this item? Are their quarters enlarged?

Mr. FIELDS. There are more men than at the time the appropriation was made.

Mr. WINGO. I beg the gentleman's pardon. Identically the same number is carried. I have both bills before me. The appropriation of 1918 and the present bill have the same item. Of course, if the gentlemen have no information, I will withdraw my pro forma amendment and pass on.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For commutation of quarters and of heat and eight for field clerks, Quartermaster Corps, \$76,800: *Provided*, That said clerks, messengers, and laborers shall be employed and assigned by the Secretary of War to the offices and positions in which they are to serve: *Provided fur-*

ther. That no clerk, messenger, or laborer at headquarters of tactical divisions, military departments, brigades, service schools, and office of the Chief of Staff shall be assigned to duty in any bureau of the War Department.

Mr. WALSH. Mr. Chairman, I move to strike out the last word, and direct the attention of the gentleman to the word "eight" in line 4.

Mr. DENT. I was just about to offer an amendment on line 4, page 18, to strike out the word "eight" and insert the word "light."

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 19, line 4, strike out the word "eight" and insert the word "light."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WALSH. Mr. Chairman, what is this last proviso? What is the purpose of it? It says:

That no clerk, messenger, or laborer at headquarters of tactical divisions, military departments, brigades, service schools, and office of the Chief of Staff shall be assigned to duty in any bureau of the War Department.

Mr. DENT. This was in the law for some time, and the purpose of it is plainly expressed in the language itself. It is to keep these bureau chiefs from assigning the men to work for them.

Mr. WALSH. That means that a clerk that is assigned to the office of the Chief of Staff can not be assigned to the office of The Adjutant General or of the Assistant Secretary of War?

Mr. KAHN. Yes. If the gentleman will allow me, the clerks in The Adjutant General's office and the other offices are provided in the legislative appropriation bill. The Army appropriation bill provides for the clerks in the tactical divisions or the various divisions, and also the clerks in the office of the Chief of Staff. The purpose of this is to prevent such clerks from being transferred into other branches of the War Department and paid out of this fund.

Mr. WALSH. Uniformed clerks are not provided for in the legislative, executive, and judicial appropriation bill, are they?

Mr. KAHN. No. Uniformed clerks are not provided. Civilian clerks are provided.

Mr. WALSH. This only applies to the field clerks?

Mr. KAHN. No; this applies to the clerks, say, at department headquarters in Chicago, department headquarters in San Francisco, or department headquarters in New York, or clerks in the office of the Chief of Staff here in Washington. They are the only clerks that this committee appropriates for. And the purpose is that the clerks from other branches of the War Department shall not be transferred to these places or the clerks in these places should not be transferred to the various branches of the War Department.

Mr. WALSH. It is the gentleman's opinion that such transfers have been made?

Mr. KAHN. Exactly; and this is to prevent them.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

For expenses of courts-martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, and expenses of taking depositions and securing other evidence for use before the same, \$500,000.

Mr. WALSH. Mr. Chairman, in this item for courts-martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same there is a substantial increase. Now, is that because these courts-martial have become so busily involved and engaged in sentencing men to 20 or 25 years in prison for forgetting to salute a superior officer or some other minor offense that they have got to have a large increase in the appropriation?

Mr. DENT. No. That was another guess, merely on account of the increased size of the Army. You can not tell how much it should be increased.

Mr. WALSH. In case there have been a lot of additional cases to try, as the gentleman from California [Mr. KAHN] suggests, it would seem to me that, now that the war is over, to give the men who will compose these courts of inquiry and military commissions and courts-martial such a substantial increase as that will rather encourage the holding of courts-martial for these minor offenses.

Mr. GREENE of Vermont. They do not get any money out of it.

Mr. WALSH. As the gentleman from Vermont says, they do not get any money out of it, but it will keep them occupied in spending the money. I think these minor infractions might be taken care of otherwise.

Mr. WINGO. I call the gentleman's attention to the fact that it also includes military commissions, and the words "military commissions" as used in the Army do not always mean inquiries and courts-martial.

Mr. GREENE of Vermont. Of course, the amount of money set opposite that item must necessarily be a guess; but that item is predicated upon a condition of affairs that may be expected to exist at the end of the war, involving several millions of soldiers and involving many activities on both sides of the ocean. Nobody can know what the normal expenditure will be, but it is known that many cases have not as yet been forwarded for review. They must go through that process of review, and the completion of the records and the assembling of the papers generally will take a great amount of labor.

Now, so far as its being an inducement to Army officers to hold courts-martial, I do not think any officer ever solicits the job, and nobody who has ever sat on a court-martial wants to do it again.

Mr. WALSH. Why is that?

Mr. GREENE of Vermont. Because it is a disagreeable and onerous duty, apart from the natural functions of a military officer. It is a disagreeable task, and the officer does not like to perform it. I do not think there is any inducement in the Army itself to call men to try to get service on courts-martial.

Mr. WALSH. Will the gentleman state how they set this machinery in motion whereby a man is sentenced for 20 or 25 years for some minor infraction of the military regulations? How is that set in motion? Is it not set in motion by some officer who will have something to do with the court-martial?

Mr. GREENE of Vermont. It can be set in motion by any responsible officer who makes complaint.

Mr. CRAGO. But he can not be a part of the court-martial.

Mr. WALSH. He can not be a part of the court-martial, but he becomes a part of the machinery that prosecutes.

Mr. GREENE of Vermont. There is an analogy in that to cases in civil life. Every man who makes a sufficient complaint in civil life starts a case in the courts, and it is the same way in the Army, and that is a matter that no law can prevent.

Mr. WALSH. After that machinery is started is there any way that the proceedings can be terminated, where the man against whom the complaint is made can be simply reprimanded or be deprived of his liberty for a little time, or has that to be gone through with and wind up with these unusual and unjust punishments?

Mr. GREENE of Vermont. It all depends upon the character of the offense, and as the gentleman from Pennsylvania [Mr. CRAGO], sitting near me, says it is like any other machinery in court in civil life; it has to go through to some determination. If the respondent is found guilty—

Mr. WALSH. He may be compelled to plead guilty.

Mr. GALLIVAN. Mr. Chairman, I hope the gentlemen will give the House the benefit of the colloquy that is going on over there.

Mr. GREENE of Vermont. If he is found guilty and sentenced, and the sentence is above a certain grade, it has to be reviewed. It is not a question of appeal so much, but certain things have to go up to appeal, and a death sentence in particular has to go up to the Commander in Chief.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. MANN. Mr. Chairman, I had occasion some time ago to make a little investigation in regard to the work that is being done in the office of the Judge Advocate General, reviewing these court-martial proceedings. I learned privately some of the things which were narrated before a Senate committee the other day by Gen. Ansell, though I did not talk with Gen. Ansell himself. I did talk with him years ago, before he was in this responsible position, and he is one of the brightest men I ever met.

From what I learned I gathered that some legislation by Congress on the subject of these courts-martial is very much needed. No one can believe, unless he gets it in the most accredited form, what idiotic judgments some of the courts-martial have been guilty of. It is beyond belief, if we did not know the sentences that have been imposed in some cases. Here will be two cases, as nearly alike as two peas in the same pod, arising in different places. One man may receive a reprimand and another man a sentence of 20 or 40 years in the penitentiary. And in many cases it is entirely beyond the power of the Judge Advocate General's office to change the sentence without getting action by the President. And it is ridiculous to impose upon the President, or even on the Secretary of War, action in a great many of these cases. I hope that the Committee on Military Affairs in the next House will take up the subject and give us the necessary legislation to do away with the present

anachronism, which is clear out of date. When were the articles of war enacted?

Mr. WALSH. About two years ago.

Mr. CRAGO. On an appropriation bill.

Mr. KAHN. They were put on by the Senate.

Mr. MANN. That means that the present articles of war were enacted then, but that they are a heritage from the seventeenth century.

Mr. GREENE of Vermont. Mr. Chairman, right in line with what the gentleman from Illinois has said, I do not believe anybody will approve for a moment some of the very inconsistent things that have been done through the proceedings known in the Army as courts-martial during the last two years. But apart from the abuses which have certainly arisen there, and apart from some of the instances which might very properly and with moderation be called outrages, there is a reason for a part of the trouble which ought not to be charged against the Regular Army Establishment. I do not think these cases of injustice were so common by any means during the long term of peace in which the Regular Army in its garrison routine administered justice much as it did everything else, after a code which was generally as well understood in one part of the service as in another. There were not the same opportunities for differences of judgment about the same offense in different parts of the country when the offenses themselves were tried by the officers of the Regular Establishment, more experienced in such matters, and who had learned by observation and by their professional experience about what the accepted standard was in the way of punishment for such offenses in the service. They held to some pretty generally recognized code. But when the Army was suddenly enlarged by the taking in of civilians, who outnumbered its original proportions thirty or forty times, men who had had no previous professional experience as soldiers, and who knew little or nothing of the code and the standards that had been established, were called upon to try these cases. It is very easy to see how all the discrepancies that can now be pointed out and how all the differentiations and all the very unjust practices could arise.

Mr. RAYBURN. Will the gentleman yield?

Mr. GREENE of Vermont. I yield to the gentleman from Texas.

Mr. RAYBURN. What is the minimum penalty in the Army for desertion?

Mr. GREENE of Vermont. I can not give the gentleman the precise law.

Mr. CRAGO. It depends on conditions. Desertion in the presence of the enemy is punished by death.

Mr. GREENE of Vermont. As suggested by the gentleman from Pennsylvania [Mr. CRAGO], my most admired mentor, desertion in the presence of an enemy is punished by death. Desertion under other circumstances becomes largely technical and is punished according to the facts in the particular case.

Mr. RAYBURN. I mean under any circumstances. I do not mean desertion in extreme cases, but I mean the minimum in any case.

Mr. GREENE of Vermont. I do not know what that minimum is.

Mr. CRAGO. If the gentleman will yield, I will explain partially the system in vogue. When a man is absent for a few days they usually prefer a charge of absence without leave—A. W. O. L. After so many days this becomes desertion. Now, at first they treated these cases of absence without leave with great leniency, but when they were trying to give the men their intensive training they found they did not have the men there. They would comb every passenger train and every freight train, they would watch every avenue by which men could leave the camps, but they could not keep them in the camps, and in these camps containing generally the best young men of the country it was very discouraging to see how men would forget themselves, would desert their posts, and make it absolutely impossible for an organization to become efficient.

And these officers, National Guard officers, I have talked with were frantic about the absence-without-leave men. They wanted to use more drastic measures than the law would allow. They had to, in order to curb this abuse. In regard to the men around their own home towns, while the organizations were being mobilized, if these men were absent a day or two without leave there was little thought about it. The captain would reprimand the man and try to tell him that he was not a good soldier; but when it got to the intensive training it was a different proposition; and when it got to the embarkation port, if men were absent, then they adopted drastic measures. I think you will find few cases where the officers exceeded their authority.

Mr. MANN. I think if the gentleman will get somebody from The Adjutant General's office to talk confidentially with him he will change his mind.

Mr. CRAGO. I have talked with men who were responsible for the training of these men, and they were training men who were to stand up against the enemy and win the war. I know there are cases where I would probably have acted in a different way from what the court-martial did, but there had to be examples set and it saved the lives of many men in the end.

Mr. BURNETT. Will the gentleman yield?

Mr. CRAGO. Yes.

Mr. BURNETT. Did the gentleman read the statement of Gen. Ansell in this morning's paper?

Mr. CRAGO. Yes.

Mr. BURNETT. Is that true? If it is true, it is an enormity that no Hun would perpetrate on his own people.

Mr. CRAGO. There may have been cases of that kind. These men composing the courts-martial generally were taken from the body of our citizenship and were not Regular Army officers. They were taken from civil life, and you know that sometimes a man with a little authority goes too far.

Mr. GREENE of Vermont. Now, Mr. Chairman—

Mr. WALSH. Will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. WALSH. Does the gentleman think, with the process of demobilization of the Army about to be initiated, that as we reduce our forces we ought to increase the amount available for courts-martial?

Mr. GREENE of Vermont. I do not know that the increase in appropriations is to apply in any likelihood to new cases. My impression is that this is like settling up any row—there is a good deal of work to be done to clean up and complete the records and put them in shape to be put into the archives.

Mr. WALSH. I think the gentlemen who have imposed these unjust penalties on soldiers ought to be court-martialed themselves.

Mr. GREENE of Vermont. Now, Mr. Chairman, I want to say just this: We are getting into a period of reaction. We have been so liberal in appropriations during the period of stress of the war. We have done it unquestioningly at the instance of the military authorities. But now that we are relieved by the present situation so that we can let down a little the result is, I am afraid, that we may, in a measure, permit the pendulum to swing too far the other way, and that we will be as extreme against the Army as we have been liberal for it.

I suggest in this connection, when talking about the court-martial system, that the experience of the country with that business during the last year and a half has been largely created by men, however honest and faithful in doing their duty, as soldiers as they understood it, who were not professional soldiers instructed in the standards of the Regular Army for many, many years.

Mr. SIEGEL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 19, line 22, after the "\$500,000," insert:

"Provided, That article 11 of the Articles of War is hereby amended to read as follows:

"ART. 11. Appointment of judge advocates.—For each general or special court-martial the authority appointing the court shall appoint a judge advocate. No person shall be appointed judge advocate for a general court-martial unless at the time of his appointment he is an officer of the Judge Advocate General's Department, except that where an officer of that department is not available the authority appointing the court shall appoint an officer of the Army recommended by the Judge Advocate General as specially qualified, by reason of legal learning and experience, to act as judge advocate. The officer appointed as judge advocate for a general court-martial shall not be a member of the court, but shall sit with it at all times in open session and shall fairly, impartially, and in a judicial manner perform the following duties and such others not inconsistent herewith as may be prescribed by the President in virtue of article 38 of the Articles of War:

"(a) Rule upon all questions of law properly arising in the proceedings;

"(b) Advise the court and the convening authority of any legal deficiency in the constitution and composition of the court or in the charge before it for trial;

"(c) At the conclusion of the case and before the court proceeds to deliberate upon the finding sum up the evidence in the case and discuss the law applicable to it, unless both he and the court consider it unnecessary;

"(d) Take care, equally with the court, that the accused does not suffer any disadvantage in consequence of his position as such, or of his ignorance or incapacity to present his own case, and for that purpose the judge advocate, with the permission of the court, may call and examine such witnesses as may appear to him necessary or desirable to elicit the truth.

"His rulings and advice, given in the performance of his duties and made of record, shall govern the court-martial.

"If the judge advocate dies, or from illness or any cause whatever is unable to attend, the court shall adjourn and another judge advocate

shall be appointed by the proper authority, who shall act as judge advocate for the residue of the trial or until the judge advocate returns."

"Sec. 2. That article 17 of the Articles of War is hereby amended to read as follows:

"ART. 17. Appointment of prosecutors.—For each general or special court-martial the authority appointing the court shall appoint a prosecutor, and for each general court-martial one or more assistant prosecutors when necessary. The prosecutor of a general or special court-martial shall prosecute in the name of the United States and shall, under the direction of the court, prepare the record of its proceedings. Such prosecutor may be an officer of the Judge Advocate General's Department. In all court-martial proceedings the accused shall have the assistance of and be represented by counsel of his own selection. Such counsel may be either a civilian lawyer or an officer of the Army. If military counsel be not selected by the accused, the court shall assign military counsel to assist in his defense if such counsel be reasonably available."

"Sec. 3. That articles 22, 30, 33, and 116 of the Articles of War are hereby amended by substituting the word 'prosecutor' for the words 'judge advocate' wherever they appear in the said articles, and by substituting the words 'prosecutor or any assistant prosecutor of a general special court-martial' for the words 'the judge advocate or any assistant judge advocate of a general or special court-martial' wherever they appear in the said articles."

"Sec. 4. That if the authority authorized to appoint general courts-martial has an officer of the Judge Advocate General's Department present for duty on his staff, he shall not refer any charge to a general court-martial for trial unless the said officer of the Judge Advocate General's Department shall indorse in writing upon the charge that in his opinion an offense made punishable by the Articles of War is charged with legal sufficiency against the accused, and that it has been made to appear to him that there is prima facie proof that the accused is guilty of the offense charged."

"Sec. 5. That article 18 of the Articles of War is hereby amended to read as follows:

"ART. 18. Challenges.—Members of a general or special court-martial may be challenged by the accused, but only for cause stated to the court. The court shall determine the relevancy and validity thereof, and shall not receive a challenge to more than one member at a time: *Provided*, That if the accused at any time before the arraignment shall file in the proceedings an affidavit of prejudice alleging specific grounds to show that the court by reason of matters touching its constitution or composition can not do justice, the court shall proceed no further in the case, but shall report the matter to the appointing authority for his decision."

"Sec. 6. That when a court-martial shall find the accused not guilty upon all charges and specifications it shall not reconsider, nor shall the appointing authority direct it to reconsider, its findings; but the president of the court or the summary court shall immediately inform the accused and the officer by whose authority he may be in custody of his acquittal, and such officer shall thereupon immediately release the accused from custody, unless he is in custody for reasons other than the pendency of the charges of which he has been acquitted."

"Sec. 7. That section 1199, Revised Statutes of the United States, is hereby amended to read as follows:

"Sec. 1199. The Judge Advocate General shall receive, revise, and cause to be recorded the proceedings of all courts-martial, courts of inquiry, and military commissions, and perform such other duties as have been performed heretofore by the Judge Advocate General of the Army. The power to revise the proceedings of courts-martial conferred upon the Judge Advocate General by this section shall be exercised only for the correction of errors of law which have injuriously affected the substantial rights of an accused, and shall include—

"(a) Power to disapprove a finding of guilty and to approve only so much of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when the record requires such finding;

"(b) Power to disapprove the whole or any part of a sentence;

"(c) Power, upon the disapproval of the whole of a sentence, to advise the proper convening or confirming authority of the further proceedings that may and should be had, if any. If upon revision, under this section, all the findings and the sentence be disapproved because of error of law in the proceedings, the convening or confirming authority may lawfully order a new trial by another court-martial."

"Sentences involving death, dismissal, or dishonorable discharge from the service shall not be executed pending revision. If in any case a sentence though valid shall appear upon revision to be unduly severe, the Judge Advocate General shall make a report and recommendation for clemency, with the reasons therefor, to the President or the military authority having power to remit or mitigate the punishment."

"Sec. 8. That the Judge Advocate General of the Army shall prepare and submit to Congress, at the earliest practical date, a revision of the Articles of War consistent with the provisions of this act, and shall also prepare and submit to Congress a draft of regulations providing for the procedure of general courts-martial."

"Sec. 9. That all laws or parts of laws inconsistent with this act are hereby repealed."

Mr. DENT (interrupting the reading). Mr. Chairman, I make the point of order upon this amendment.

Mr. SIEGEL. Mr. Chairman, I want to ask the gentleman to reserve the point of order.

Mr. DENT. I do not object to the gentleman having this in the RECORD, but I make the point of order. We will never get through with this bill if everybody tries to amend the articles of war.

Mr. SIEGEL. Mr. Chairman, I ask the gentleman to reserve his point of order. This is a bill that was offered in January. It is the same bill that has been offered in the Senate, and is a bill prepared by a number of lawyers, and some of the gentlemen connected with the Judge Advocate General's office know its contents. It is not a new bill.

Mr. DENT. Then what is the use of reading it?

Mr. SIEGEL. I want to have it in the RECORD.

Mr. DENT. I make the point of order that this is new legislation.

Mr. SIEGEL. Mr. Chairman, I ask unanimous consent that the amendment may be printed in the RECORD as though read,

and I ask the gentleman to withhold the point of order, so that I can discuss it for five minutes.

Mr. DENT. Oh, I hope the gentleman will not ask me to do that. I have been very liberal here to-day.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the amendment offered by him, partially read, may appear in the RECORD as though read. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Alabama makes the point of order against the amendment. Has the gentleman from New York anything to say on the point of order?

Mr. SIEGEL. Mr. Chairman, I submit that it is in order. It is germane to the appropriation of \$500,000 for courts-martial. This puts limitations upon the expenditure of the money.

The CHAIRMAN. The Chair sustains the point of order.

Mr. SIEGEL. Mr. Chairman, I move to strike out the last word. On January 23, 1919, I discussed on the floor of this House the question of courts-martial, and at that time stated that there had been 22,000 courts-martial and about 370,000 summary cases tried. I called attention to House bill 14883, which I had introduced and which would remedy the conditions of which the country was complaining.

Mr. GORDON. Mr. Chairman, I make the point of order that the gentleman is not discussing the bill before the House. This has already been ruled out on a point of order.

Mr. MANN. Mr. Chairman, the gentleman from Ohio does not know what is before the House. This appropriation is for half a million dollars for courts-martial. The gentleman is discussing the subject covered by the appropriation.

The CHAIRMAN. The gentleman will proceed in order.

Mr. SIEGEL. Mr. Chairman, I repeat that I said at that time that there had been 22,000 cases tried by courts-martial and about 370,000 summary cases since the war had commenced. Many gentlemen doubted that we had had such a large number. I also said that in the cases tried in Texas there had been executions held before there had been any review of the cases, and yesterday before a committee of another body the gentleman in command of the Judge Advocate General's office testified to the truth of both those statements. What are the facts? How is a court-martial proceeding started, and how does it work out? The general in command of a division selects the men to make up the court-martial, and the officer making the complaint appears before it. The defendant is usually represented—as occurred in France, where two men were permitted to plead guilty to having slept on their post, a death sentence—by a second or a first lieutenant.

Then what happens? After the testimony has been taken the soldier defendant is not informed whether he has been found guilty or what the judgment of the court is. He is kept in the dark and weeks and months will elapse before the defendant, who is a soldier, will know exactly what took place. We know very well what occurs when an officer is under a general in a division and he happens to be one of the court-martial. They usually are. If the general in command of the division desires a conviction to be had you will find that there is a conviction, and then who reviews it? The general selects the officers composing the court-martial, and if he is not satisfied with the findings or sentence he directs the court-martial to reconvene, and then, usually, the court follows exactly what he wants.

Mr. RAGSDALE. Mr. Chairman, surely the gentleman does not mean to say that the officers who compose the Army that has just been in France, and who are still there, after trying a man vote conviction because the superior officer wants them to convict an innocent man?

Mr. SIEGEL. Let me say to the gentleman that the records tell their own tale—that there have been cases which have been brought to public attention lately where the President himself had to interfere, where men were allowed to plead guilty and the death sentence was even imposed; but I am not discussing theories now, I am discussing facts.

Mr. RAGSDALE. No; but if the gentleman will pardon me, he has been charging here that where commanding officers selected officers under him to have a court-martial that if a superior officer wanted a conviction that these officers would give it to him.

Mr. SIEGEL. I want to say right now to my friend from South Carolina that I am not discussing theories; I am discussing facts. Gen. Ansell testified before the committee, and the records down at the Mills Building in Washington tell their own tale. No matter how it may have happened, these things did happen.

The most humiliating part of the story of this war is that 22,000 men were convicted, and the impression I have stated

exists. I do not pretend or claim that they were all innocent, but there was a sufficient number of innocent men to warrant a change of procedure. Gen. Ansell himself understood the injustice of these courts-martial. I want to say to the gentleman further if he wants a series of cases all he has to do is to read the testimony that has been taken here only yesterday. I regret exceedingly that under a point of order my amendment to relieve conditions can not be considered.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SIEGEL. I ask unanimous consent to extend my remarks in the Record on this question.

The CHAIRMAN. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none.

Mr. SIEGEL. I hope that the Members of the House will read very carefully the following, from one of our daily newspapers:

Brig. Gen. Ansell's office has passed on some 18,000 or 20,000 cases. The charge of extreme harshness resulting in cruel and unjustifiable sentences was based on a sufficient number of cases, he said, to justify the general indictment. His plea to the committee carried conviction. He declared that the method of administering justice is the greatest weakness in the Army system and endangers the success and efficiency of the establishment. The American method of administering justice is more severe and less judicial than that of European armies, and is fundamentally wrong, he declared.

The witness asserted that the continuation of the system would bring into disrepute the sacred functions of justice and law administration.

As outlined by the Judge Advocate, the following is a brief summary of the mode of procedure and the status of the courts through which thousands of American soldiers have received sentences so harsh that Congress is called upon to see to it that a great many of them are revised in the interest of mere justice, if not for humane reasons.

Any military commander can order a court-martial. He selects the officers who sit on it. The accused is given a counsel, who may be a second lieutenant who has no knowledge of the fundamentals of the common law or judicial procedure. A sentence of guilty is handed down on the finding of the court. The soldier has no appeal. The Judge Advocate General has no power whatever to revise. He may advise the Secretary of War or the Chief of Staff, but neither of these is bound to accept his advice, even when he and every lawyer of his staff are sure that there has been a grave miscarriage of justice.

Apparently the views of Brig. Gen. Ansell were not favorably received by the War Department, but the brief he submitted to the committee was absolutely convincing in fact and in logic. The War Department takes it for granted and acts on the assumption that courts-martial are "executive agencies" to carry out Army orders. The contention of the Judge Advocate was that if these courts are mere executive agencies, the men tried in them are convicted under these orders applied by professional soldiers and not by men who understand the fundamental principles of the common law.

The committee was urged to have Congress remedy a grave evil in the national system. If a court, he said, can try a man for life and limb, then the trial should be conducted along lines which guarantee to the accused every protection and eliminate the personal element and the caprice of a military commander. It is a travesty on justice, he declared, that the Chief of Staff or the President should be called upon to reverse a judgment or lessen the penalty when that sentence or penalty in the first instance was not based on law and reason. In the latter case, he said, it should never have been imposed. In too many instances the court, he said, merely registers the wishes of the commander who convened it.

The witness agreed with members of the committee that the final tribunal to dispose of and revise all cases where the lives of soldiers should be put in jeopardy is not a Chief of Staff or a Secretary of War, but a tribunal independent of these officials, and with full discretionary powers for the administration of justice. This could be secured by giving the Judge Advocate's office not merely power to advise some military chief ignorant of legal procedure and evidence, but power to carry out its decisions. This is precisely what the Chamberlain bill proposes to do.

Cases were submitted to the committee which appeared almost unbelievable to the members if it were not for the fact the Judge Advocate had examined them. Sentences of 40 years, 30 years, 20 years with hard labor and a dishonorable discharge were frequently imposed in cases where the penalty in peace time never went beyond months. Often these sentences were cut down, but the very fact that they should be imposed here in the United States for offenses which were not heinous in view of all the circumstances illustrated, the Judge Advocate said, the weakness of the system under which it was possible.

A special case in which the soldier was dishonorably discharged, forfeited all pay, and received a sentence of 30 years in the penitentiary (a sentence afterwards reduced), revealed the following facts composing the human equation: A raw country boy, the only son of parents in humble circumstances, absented himself without leave, staying away for several months. He returned to his command, was court-martialed, and punished severely for desertion.

Heavy sentences for trivial offenses, dishonorable discharges, which meant a yellow sheet for life, occurred with such frequency that the Judge Advocate said the very value of a dishonorable discharge as an instrument of discipline had been impaired. The penalty for sleeping on duty is the firing squad, but, as Brig. Gen. Ansell pointed out, there is a difference between sleeping while guarding Government canvas in Texas and guarding a line of trenches 30 yards from the enemy.

Mr. BURNETT. Mr. Chairman, I have no doubt but what the gentleman from New York [Mr. SIEGEL] has stated the facts, and Gen. Ansell, when he made the statement credited to him in the Washington Post to-day, showed that he himself was a party to the crime. Any man who would sit by as an Assistant Judge Advocate General and see men convicted under the circumstances that Gen. Ansell detailed must either be a coward or an incompetent weakling. [Applause.] Now, there is no use

talking about it. I think he stated facts about it, and there have been committed the enormities and atrocities by men on courts-martial which have been winked at by Crowder, and perhaps by the Secretary of War himself. These outrages are only equaled by the atrocities that the Huns themselves committed. It is infamous. The statement of Ansell shows the wickedness in the War Department among these petty officers, some of whom no doubt were men from civil life who never made \$50 or \$100 a month, and who tried men and sent them to Leavenworth Penitentiary for years, and yet the men higher up of this department are the ones who are responsible and ought either to be impeached or court-martialed themselves.

Mr. GALLIVAN. Will the gentleman yield?

Mr. BURNETT. I do.

Mr. GALLIVAN. I do not believe for a shadow of a moment the gentleman means to do Gen. Ansell an injustice. I understand that Gen. Ansell discovered these outrageous things that the gentleman discusses, and which we all believe were outrageous, and that Gen. Ansell is entitled to the thanks of the people of this country instead of condemnation. He is the man who brought this thing out in the open.

Mr. BURNETT. When did he do it?

Mr. GALLIVAN. He did it when the cases came to the department.

Mr. BURNETT. Why did he not appeal to the President—

Mr. GREENE of Vermont. Perhaps he could not get a passport to get to the President. [Laughter.]

Mr. BURNETT. Why did he not appeal to Gen. Crowder, why did he not appeal to the President to vindicate him, why did he go on here until he was called before a committee of the Senate to do it? Now, if he had been a brave man and an honest man, he never would have held the place that he held with these atrocities and wickedness being perpetrated by men in high life. You can not get around it, gentlemen. He is a party to the crime; there is no doubt about it.

You can not dodge it. Only within the last few days I received a letter from a constituent in my own district stating that his son had been sent to Leavenworth for 20 years because he was absent for eight days to be at the bedside of his dying mother. Those things are done, gentlemen. But who has done it? Gen. Ansell is responsible; Crowder and the whole bunch of them; Crowder, no doubt, more than any of them. Do not try to throw it on one man, but hold the whole lot of them responsible. Let the responsibility fall where it ought to fall, gentlemen, and not upon any one man.

My son was a "buck private" at Camp Pike, and he said that he would rather risk his chances with West Point officers than with the insignificant little lieutenant, captain, or major that had not made \$50 a month in civil life, in order to make a show and hold his position as a petty officer in the ranks.

There is where the responsibility lies, gentlemen, and these little tyrants ought to be dismissed. They ought to get rid of these captains and these colonels and these majors, and these men like the ones my friend from Mississippi [Mr. HUMPHREYS] talked of the other day, who felt it was beneath the dignity of an officer to allow a private to ride by their side in an automobile.

Let us place this responsibility on the men in high life. Pershing, on the other side, is responsible. You Republicans talk about running him for President [laughter] when he is primarily responsible for the infamies that are being committed in France by those martinets over there. My friend from Massachusetts [Mr. TREADWAY] has talked about the mails not being delivered to the soldiers. Pershing could have seen that they were delivered. He is responsible at last, and let the blame fall where it ought to fall. He could have had fair treatment to our brave boys over there if he had wanted to.

Mr. Chairman, I wanted to deliver myself of this little speech that has been in my system for several days. The Huns never treated their soldiers as brutally as some of our Army officers have treated some of ours. [Applause.]

Mr. KEARNS. Mr. Chairman—

The CHAIRMAN. The gentleman from Ohio [Mr. KEARNS] is recognized.

Mr. DENT. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman from Alabama is recognized.

Mr. DENT. How much time does the gentleman from Ohio desire?

Mr. KEARNS. Five minutes.

Mr. DENT. Then, after the expiration of five minutes I ask that the debate on this paragraph and all amendments thereto be closed.

The CHAIRMAN. The gentleman from Alabama [Mr. DENT] asks unanimous consent that at the expiration of five minutes

the debate on this paragraph and all amendments thereto shall be terminated. Is there objection? [After a pause.] The Chair hears none. The gentleman from Ohio [Mr. KEARNS] is recognized for five minutes.

Mr. KEARNS. Mr. Chairman, I think the gentleman from Alabama has unjustly attacked Gen. Ansell. It is my advice that Gen. Ansell is responsible in a great part for the amendment that the gentleman from New York [Mr. SIEGEL] has introduced here as a part of this bill. Gen. Ansell is in a position to recognize that the ordinary court-martial is worse than a travesty upon justice, and for that reason he was instrumental in preparing this or assisting in the preparation of this amendment. And it seems to me that if anybody should be censured we ought not to go farther than the floor of this House, but censure the man who makes the point of order against this, when all men who have made any investigation of the courts-martial that have been carried on during this war know that they are an absolute disgrace to the Army.

I had occasion to read the testimony in a court-martial the other day. There was only one witness who took the stand. He was a major. A young officer was appointed to defend. After the major testified for the prosecution the defense rested its case. I read the speech that he made in defense of his client. In substance, it was like this: "When I undertook the defense of this man I thought I would be able to prove his innocence. I was told by the defendant a story that, if true, would have shown that this boy was absolutely innocent of the charge against him, but when the major testified I would not insult an officer of this Army by putting in testimony the word of a private soldier that would dispute the testimony of that officer, and for that reason I did not allow the defendant to testify, or his three or four companions, who would have testified to his innocence."

That case is on file in the Judge Advocate General's office in this city. That young officer who undertook the defense of this man was seeking a promotion, and he was wanting it through the recommendation of this major, and within a very few days after this memorable speech he got the desired promotion.

Mr. FIELDS. Will the gentleman yield?

Mr. KEARNS. Yes.

Mr. FIELDS. Would the gentleman mind giving the name of this man who made this defense?

Mr. KEARNS. I have the name in my pocket. I will furnish it to the gentleman.

Mr. FIELDS. Put it in the RECORD.

Mr. KEARNS. I may later.

Mr. DOWELL. Will the gentleman state whether or not that major is still a member of the Regular Army?

Mr. KEARNS. I do not know anything about the major.

Mr. BURNETT. He has been promoted, has he not?

Mr. KEARNS. I am talking about the young officer who defended this man in the able manner I have just indicated.

Mr. RUCKER. Who betrayed him.

Mr. DOWELL. And he was promoted?

Mr. KEARNS. Within a week after the defense.

That is only one instance in many. I have another case in mind where a young officer was defending a man charged with some military crime, and the evidence as he was bringing it out in the trial of the case was pointing to the guilt of some officer. He was asked not to pursue that line of questioning any longer. This young officer refused. He said, "I am defending this man, and I have nothing to do with the officer whose reputation is being brought in question."

And that young officer, because of his refusal to protect the other officer, because he insisted upon defending his client, was taken out of the case during its progress and another officer substituted who would not bring out the facts, but allowed his client to be convicted.

Mr. RUCKER. Mr. Chairman, has the gentleman those names?

Mr. KEARNS. I have.

Mr. RUCKER. I think they ought to be put in the RECORD to show the whole world what was done.

Mr. KEARNS. I will not give the name of the officer, but I will say to my friend from Missouri that that young officer, although he is one of the best medical men in the Army—I do not care where he comes from—has never gotten higher than first lieutenant, and he volunteered at the beginning of this war, and is in France now. He has never been able to get a promotion, simply because he insisted upon defending his client. I hope the gentleman from Alabama will not make the point of order and will allow this House to rewrite the law pertaining to courts-martial.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. DENT. Mr. Chairman, I move to strike out the last three words.

Mr. MANN. The debate is closed.

The CHAIRMAN. The debate is concluded, under the unanimous-consent agreement. The Clerk will read.

The Clerk read as follows:

For commutation of quarters and of heat and light to commissioned officers, warrant officers, members of the Nurse Corps, and enlisted men on duty at places where no public quarters are available, including enlisted men of the Regular Army Reserve and retired enlisted men when ordered to active duty, \$4,821,150.

Mr. RAGSDALE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from South Carolina moves to strike out the last word.

Mr. RAGSDALE. Mr. Chairman, I do not propose to attempt to defend here any of the irregularities or injustices that have been done to men in the service by officers, but I will not permit to go unchallenged here the statement made on the floor by the gentleman from New York [Mr. SIEGEL] that the highest officers in our Army, who had charge of the men, who had charge of the handling of the men, who had the right to put them in the places of danger and to see that they were taken care of abroad, and who had commanded confidence from younger officers all down the line—I can not permit it to go unchallenged here, when it is charged against these high officers, graduates of West Point, men who have grown up in the service and who, as they have lived their lives, have shown a proper respect for that flag and the institutions that they were sent over to defend, that they would select young officers, inexperienced men, and tell them to adjudge guilty the men brought before them, without regard to their innocence or guilt.

Injustices were done. The record shows it. Mistakes were made, but it is incomprehensible, to my mind, that these high officers, with this tremendous responsibility, would select these men and pack the jury against innocent privates who were under their control.

Whatever mistakes may have been made, whatever injustices may have been done, Mr. Chairman, I can not believe that the high officers of the American Army whom I have been taught to respect were so unmindful of their duty to the flag, to the Constitution, and to our people that they would under any conditions have inflicted this tremendous outrage, infamy, and injustice on the men under their command.

Mr. HUMPHREYS. But they did it just the same.

Mr. KEARNS. Yes; they did it.

Mr. SIEGEL. Mr. Chairman, I have heard the gentleman from South Carolina [Mr. RAGSDALE]—

Mr. DENT. Mr. Chairman, how much time does the gentleman desire?

Mr. SIEGEL. I would like to occupy about five minutes.

Mr. DENT. I ask unanimous consent that at the expiration of five minutes the debate on this paragraph and all amendments thereto shall close.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that at the expiration of five minutes' debate on this paragraph and all amendments thereto shall terminate. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. SIEGEL. Mr. Chairman, I have heard the gentleman from South Carolina [Mr. RAGSDALE] speak here, and I was just thinking whether, if the gentleman from South Carolina had read the record of some of these cases he would have spoken as he has. I admire the wonderful deeds performed by our men as much as he does. I just wonder whether he believes that there should have been an execution of those young men in Texas within a few hours after they were found guilty, without a review? I wonder whether he believes that men should be condemned to death, as they were in Leavenworth, and not be informed for months which of the 12 were to die and which one of the 11 was to live? I just wondered whether in South Carolina they do not try and defend men before an impartial tribunal when they are charged with crime?

I just wondered whether in South Carolina an excuse would be offered for the outrages that have been perpetrated in the 22,000 cases tried, and the thousands of whom have been sentenced to 10 or 20 years for the most minor offenses. One of the cases which has been mentioned was on account of a package of cigarettes, and the man was sentenced to 40 years. That is the evidence adduced before a committee of the other body at the other end of the Capitol.

Now, I know that the gentleman from South Carolina, and the other gentlemen here who seem to take offense when the true facts of these cases are told, do not desire to be unfair, because they are all fair-minded men who are dazed at what is being exposed to their view.

Mr. BURNETT. Will my colleague yield?

Mr. SIEGEL. Certainly.

Mr. BURNETT. If these higher officers assent to these sentences, are they not just as guilty as the subordinate officers whom they themselves appointed?

Mr. SIEGEL. Some people would designate it as a system—the same as a police system which existed in certain cities for a long time.

Now, just a word about Gen. Ansell. Great credit is due to Gen. Ansell. He had a number of disputes about these cases, and he was the man of all the men who had the pluck and the nerve and the courage to come out and say that the grossest kind of injustice was being done. All he could do was to protest in the department, and I will say that it is due to Gen. Ansell's intervention in certain cases as the result of reviews by him that certain young boys 18 or 19 years of age are now alive. That does not relieve him or any other officer of the great responsibility of judging men and judging them rightly.

Mr. BURNETT. Will my colleague yield?

Mr. SIEGEL. I will.

Mr. BURNETT. If Gen. Ansell knew that these Hunlike atrocities were being permitted, and kept quiet about it, is he not just as guilty as the men who committed them?

Mr. SIEGEL. I do not think Gen. Ansell kept quiet. I think he did all he could do under the circumstances.

Mr. BURNETT. When did anyone ever hear from him?

Mr. SIEGEL. He has protested for months.

Mr. BURNETT. To whom has he protested?

Mr. SIEGEL. He has protested publicly. The attention of the American Bar Association was called to these serious cases months ago.

Mr. BURNETT. Did he call attention to what the War Department was doing with these cases and criticize those men who were responsible for them?

Mr. SIEGEL. Yes; he did criticize certain men pretty strongly.

Mr. BURNETT. Why did he not resign from that crowd of Huns there who were doing these things?

Mr. SIEGEL. I do not think I would have resigned.

Mr. BURNETT. I would.

Mr. SIEGEL. I would have stuck it out and have seen that justice was being given to the soldier boys.

Mr. BURNETT. But he did not do it.

Mr. SIEGEL. That is what he did against the greatest odds.

Mr. HUMPHREYS. Is it not a fact that Gen. Ansell went to the President and interceded in behalf of some of these boys?

Mr. SIEGEL. He did. He saved the two boys who were ordered to be executed who had pleaded guilty of sleeping on post, one of whom had just come out of a hospital. If you find the time, I suggest that some of you go down and spend a couple of hours in reading some of these cases.

Mr. FLOOD. I have always given Gen. Crowder credit for saving those two boys.

Mr. SIEGEL. If I am correctly informed, Gen. Ansell was the man who did it.

Mr. GORDON. That is right.

Mr. BURNETT. What was Gen. Crowder doing all that time? He has just been confirmed.

Mr. SIEGEL. Gen. Crowder was busy with draft matters, and he handled them pretty successfully.

Mr. BURNETT. Then, why did he not resign as Judge Advocate and let somebody else handle those cases?

Mr. SIEGEL. I can not state what actuated another man's actions. All I can say is that if any of you believe that the truth has not been told in the other body, before their committee, in the newspapers, and here, all you have got to do is to go down to the Mills Building and spend a couple of hours reading some of those cases. They will satisfy you that all we are asking for as men, as citizens, and as Members of Congress is that a fair deal be obtained for these thousands and thousands of men who have been unjustly convicted and are now unjustly confined. The American people will be satisfied with nothing less. It is the duty of the press of the country to continue to arouse the Nation to see that justice is obtained.

Mr. DENT. Mr. Chairman, just a moment on a motion to strike out the last word. I do not think this House ought to undertake to try any Army officer on an appropriation bill, and that is exactly what we have been doing, trying this man and that man here. The House ought not to try them by that

sort of procedure, and I hope gentlemen will proceed with the consideration of this bill.

Mr. CRAMTON and Mr. DOWELL rose.

The CHAIRMAN. Does the gentleman from Alabama yield; and if so, to whom?

Mr. DENT. I yield to the gentleman from Iowa.

Mr. DOWELL. I want to know if it is not true that when a court-martial is organized a Regular Army officer is usually at the head of the court-martial?

Mr. DENT. That is my information, in a general way.

Mr. DOWELL. Then the statement of the gentleman from Vermont that these cases were all tried by inexperienced men is not correct?

Mr. GREENE of Vermont. Will the gentleman permit a brief answer? In the first place, I did not make any such statement as the gentleman says I did. I object to the words being put into my mouth.

Mr. DOWELL. The statement was made that they were principally, or in many instances, all men of inexperience.

Mr. GREENE of Vermont. Which was true.

Mr. DOWELL. I am inquiring whether the courts-martial were headed by a Regular Army officer?

Mr. DENT. As far as that was possible, that is my general information.

Mr. DOWELL. Then, notwithstanding the statement of the gentleman from Vermont, while it may, perhaps, be technically correct, there is a Regular Army officer at the head who has general observation and knows all that is going on. He is at the head of the court-martial.

Mr. GREENE of Vermont. I do not know where the gentleman from Alabama gets the basis for his statement. I do know that under the court-martial law that I used to be familiar with that would not be the case at all. It was one of the provisions of the old court-martial law that an officer should be tried by officers taken from his own service. A volunteer officer was not tried by a court-martial of Regular officers, but by Volunteers. I think my friend from Mississippi, who served 20 years ago, knows that that was the law. Not only that, but the president of the court-martial does not have any more power in the decision than does any other member of the court.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DOWELL. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DOWELL. I want to challenge the statement or apology offered by the gentleman from Vermont for these officers—that these courts-martial were composed of inexperienced men who were not accustomed to the Army regulations. The chairman of the committee has disclosed that these courts, or practically all of them, were headed by a Regular Army officer, and this puts a different phase upon the situation. These, I take it, were not inexperienced men, and the inexperienced men referred to were not entirely responsible for the punishment. If these boys were tried, convicted, and punished by courts-martial headed by officers of the Regular Army, who know these regulations, these officers at least consented to all that was done by way of punishment.

I have taken just a few moments of time because of the apparent apology that was offered for the outrageous punishments referred to in this debate and which it was intimated were inflicted by inexperienced officers. But the chairman of the Military Committee has revealed the fact that a Regular Army officer has usually sat in judgment.

I want to say that no officer can excuse himself that any of the lesser officers have been derelict or unfaithful to duty if he has sat quietly by and suffered these boys to be punished unjustly. I am not ready to excuse the officers even if they did put inexperienced men on the courts-martial to try these cases, because when these boys have given their services to their country they at least should have a fair and impartial trial before conviction and punishment.

Mr. FIELDS. You have inexperienced men on the juries in civil courts.

Mr. DOWELL. Yes.

Mr. FIELDS. But they do not inflict any such penalties as we see here.

Mr. DOWELL. No. And it is the proud boast of this country that every man, whether he be guilty or innocent, shall have a fair and impartial trial, and I submit that we at least ought to have given these boys the same privilege and opportunity that we ask for every American citizen everywhere. I believe, and it is the belief of the American people, that these boys should have had a fair and impartial trial.

Mr. LOBECK. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. LOBECK. These men that have sat on the courts-martial have had the highest indorsement probably from you and from others.

Mr. DOWELL. I do not care what their indorsements may have been, the Army officers who sat with them and above them knew what they were doing. I care nothing about their indorsements. They have failed to perform their duty, and it was the duty of the officer above them to see that the duty was performed, especially when it came to punishing the boys who had given their services to their country to win this great world war.

Mr. LOBECK. And these men who sat on these juries were men that got their positions through the influence of the gentleman and men of his kind, and they are citizens of this country.

Mr. DOWELL. No; under the Army Regulations no man could get a place there unless he came within the regulations.

Mr. LOBECK. How did he get into the training school?

Mr. DOWELL. By reason of the law enacted here.

Mr. LOBECK. And by indorsements of men of the gentleman's high character?

Mr. DOWELL. The Congress adopted a law by which they were admitted to the service. That is the way they came in; but what I am trying to get at is to show that some one, at least, in the service was responsible for seeing that a fair and impartial trial was given, and the blame should not rest on these so-called inexperienced officers.

The Clerk read as follows:

For pay of one computer for Artillery Board, \$3,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. What services are performed by this so-called computer?

Mr. DENT. Mr. Chairman, I have been asked that question a great many times and have asked it myself so many times that I ought to remember it by heart, but I must confess that I have forgotten the answer.

Mr. STAFFORD. So have I, or I would not have burdened the gentleman for a further explanation.

Mr. DENT. It has been in the bill for some time. He is an experienced map maker and topographer in connection with the Coast Artillery work, but it has been in the bill for years.

Mr. STAFFORD. You have increased the salary \$500 this year?

Mr. DENT. No; I do not think so. The salary is the same.

Mr. STAFFORD. Then it was not the intention of the committee to increase the salary?

Mr. DENT. No.

Mr. STAFFORD. Mr. Chairman, I believe that the salary paid to this computer was \$2,500 last year. As it was not the intention of the committee to increase the salary, I make the point of order against the increased salary.

The CHAIRMAN. Was that salary fixed by law?

Mr. DENT. I understand that it is. I move to amend the bill by striking out the "\$3,000" and inserting "\$2,500."

Mr. STAFFORD. Then I withdraw the point of order.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 21, line 8, strike out "\$3,000" and insert "\$2,500."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For amount required to make monthly payments of \$100 to John R. Kissinger, late of Company D, One hundred and fifty-seventh Indiana Volunteer Infantry, also late of the Hospital Corps, United States Army, \$1,200.

Mr. MANN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 22, after line 4, insert as a new paragraph the following:

"That the estate of the late Capt. Belvedere Brooks, of Company B, Three hundred and eighth Infantry, be, and it hereby is, relieved from accountability or responsibility for the sum of \$173.26 lost or destroyed by an act of the enemy when the said Capt. Belvedere Brooks, in whose possession it was, was killed in action on or about the 21st day of August, 1918; and that Capt. Samuel I. Zeldner, assistant division quartermaster, Capt. C. W. Gaylord, and Lieut. John V. D. Bebell, Three hundred and eighth Infantry, his agents in the transmission of said money to said Capt. Belvedere Brooks, be, and they hereby are, likewise relieved."

Mr. DENT. Mr. Chairman, I reserve the point of order on that.

Mr. MANN. Mr. Chairman, this is a bill which was sent to the House by the Secretary of War and referred to the Committee on Military Affairs on February 3. Doubtless that com-

mittee has not had a chance to examine it. The Committee on Military Affairs would not have authority to report such a bill anyway, as it is a private claim. I am not interested in the case. I merely picked this up. The Secretary of War Says:

From evidence on file in the department it appears that Capt. Brooks had on his person when he was killed in action \$173.26 belonging to the United States, and that the money was destroyed in the explosion that killed him. This money was paid over to him for the pay of the members of his company for the month of May, 1918. Some of his men were away from the company, and he was killed before he could get the money delivered to them. The officers mentioned in the bill are responsible or accountable for the funds, and legislation is necessary to relieve them therefrom.

I think the estate ought to get immediate relief.

Mr. DENT. Mr. Chairman, I will state to the gentleman from Illinois that the War Department submitted a great many private claims, perhaps some of them not as meritorious as that.

Mr. MANN. As private claims, that is true, but here is a case transmitted with a bill requesting that it be enacted. I think the others ought to be enacted, but this is not in the list.

Mr. DENT. I will make the point of order for the present, as I would like to look into it.

Mr. MANN. I shall not renew the amendment. I do not think the gentleman ought to make the point of order against relieving the estate of a man who had some money, which was blown up when he was blown up in battle.

Mr. DENT. We do not know how many cases there are—

Mr. MANN. What difference does that make? We know of this case. This case stands on its own bottom. I do not know the people.

Mr. DENT. Very well, I withdraw the point of order.

Mr. DIES. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman from Texas makes the point of order. Does the gentleman from Illinois desire to be heard?

Mr. MANN. It is subject to the point of order, but I hope the gentleman from Texas will not make it.

Mr. DIES. Oh, I do not see the reason why some particular person's claim should be picked out to go on the military appropriation bill. There are probably thousands of private claims equally meritorious. It is a bad way to legislate.

Mr. MANN. Very likely. This claim was sent in the form of a bill to the Secretary of War and should have been referred, of course, to the Committee on Claims.

Mr. DIES. Precisely. There are doubtless hundreds of thousands equally as meritorious claims that probably ought to go to the Committee of Claims.

Mr. MANN. But it was referred to the Committee on Military Affairs. Now, after all, there is no question about the facts.

Mr. RUCKER. It merely releases the estate from liability?

Mr. MANN. It does not pay out money, but it is the same thing. The money was blown up when the man was blown up.

Mr. DIES. As I say, there are thousands of cases equally as meritorious as this case. I am sure the gentleman from Illinois would not want to lumber up this bill, an appropriation bill, in this way with a private claim—

Mr. MANN. I put the amendment here where we have already proposed to pay various other people in accordance with the law a certain amount of money. Let the gentleman's heart relent; I do not know the people—

Mr. DIES. I am sure I do not see why this claim should be picked out to go into this appropriation bill in contradistinction with other claims, and I make the point of order.

Mr. MANN. If it created a precedent, it would create a very good one. If there are a lot of other claims like this, they ought to be disposed of.

Mr. DIES. There may be 100,000 meritorious cases that do not happen to have the ear of the gentleman from Illinois or some other Member of Congress, and there is no good reason why this particular claim should go in this bill.

Mr. MANN. I will say that this claim does not have the ear of the gentleman from Illinois. This is a letter transmitting it from the Secretary of War, which I picked up in the ordinary course of business, without knowing any of the people at all, and it is the only one of the kind I have seen. I aim to look at all of them, maybe not very carefully. It may be that there are thousands of others, but I do not know of any other claim like this—

Mr. DIES. Mr. Chairman, I am not the guardian of the Committee on Military Affairs, and if the chairman of that committee and the members of it want this sort of legislation on their bill I withdraw the point of order.

Mr. DENT. I will not make the point of order.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

All the money hereinbefore appropriated for pay of the Army and miscellaneous, except the appropriation for mileage to commissioned officers, contract surgeons, expert accountant, Inspector General's Department, Army field clerks, and field clerks of the Quartermaster Corps, when authorized by law, shall be disbursed and accounted for as pay of the Army, and for that purpose shall constitute one fund.

Mr. FIELDS. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FIELDS: Page 22, at the end of line 11 insert:

"Provided, That no part of the funds herein appropriated shall be applied in payment of the salary of any officer of the Army of the United States who shall promulgate or cause to be promulgated any order prohibiting social intercourse between officers and enlisted men of the United States Army while not on military duty or that will in any way establish or attempt to establish social or class distinction between officers and men or between officers of different ranks while not on military duty: *Provided*, That this limitation shall not apply to officers whose only connection herewith is in obedience to an order of a superior officer."

Mr. DENT. Mr. Chairman, I reserve a point of order on the amendment.

Mr. FIELDS. Mr. Chairman, if the amendment is subject to the point of order, I hope that the gentleman from Alabama will decide not to make the point of order.

Now, we have heard and are hearing a great deal of complaint from the boys who are coming from France and from the camps throughout this country. In fact it is a lamentable fact that there is as much complaint as there is, because these complaints are, unfortunately, bringing the Army of the United States into disrepute before the people of the country. The people resent these orders, and unless the Congress begins to take action to show its disapproval of such action on the part of officers the people of the country will hold the Congress responsible, and properly so.

An order was read in the RECORD a few days ago that was issued at Camp MacArthur, Tex., which prohibited officers from associating with men while not on military duty. That order was not authorized by military regulations, as is shown by the statement of the Secretary of War contained in Senate Document No. 154, which I hold in my hand. But yet Maj. Woolworth, major of Infantry in the United States Army, and Maj. E. E. Lambert took it upon themselves to issue an order which even made it impossible for an enlisted man to attend a theater where one of those gentlemen happened to be sitting, and caused criticism to go out all over this country against Gen. Buck, who was in command of that camp.

Mr. MILLER of Minnesota. May I inquire of the gentleman if that order was not amended immediately after it was brought to the attention of Gen. Buck?

Mr. FIELDS. It was; but that does not excuse the gentlemen who issued it. And I have an amendment that I will offer after this amendment is disposed of that will deal with those gentlemen.

There have been complaints on both sides of this Chamber against the irregularities, injustices, and even outrages that have been perpetrated by Army officers. Now, gentlemen, the time has come for Congress to begin to act as well as to talk. Do you approve this social distinction between the young men of this country who come from the best homes of the country and their officers while not on military duty? If you do, of course you will oppose this amendment; but if you believe that the boys from the homes all over this country, though they may be privates, are as good socially as their commanding officers, you will favor this amendment. Those orders have no place in any institution in a democratic Government or among a democratic people.

I would not interfere with discipline. I would not offer an amendment that would limit the authority of a commissioned officer in dealing with his men while on military duty. But when they are off military duty, when they get out in social circles, I say it is repugnant to the very spirit of our institutions to subject men to such orders as the one referred to.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FIELDS. I ask unanimous consent to proceed for five minutes, Mr. Chairman.

Mr. STAFFORD. Mr. Chairman, reserving the right to object, I understand we wish to make headway this evening. We are going to be kept in session until 10 o'clock perhaps. Does the gentleman think it fair to continue this argument with a point of order pending?

Mr. FIELDS. I am hoping the gentleman from Alabama [Mr. DENT] will not press the point of order.

Mr. GREENE of Vermont. If he does not, somebody else may. Mr. FIELDS. If he is going to do it I will not discuss the amendment further.

But to the point of order. The amendment provides for a limitation upon the appropriation, and I maintain, Mr. Chairman, that it is not subject to a point of order. It does not, it is true, fix a specific limitation; it does not attempt to; but if an order is promulgated by an Army officer in violation of military regulations or without authority, as this order was, or as any orders of that character have been promulgated, it does then limit the appropriation by providing that no part of the fund shall apply in payment of the salary of the officer responsible for it. And I hope that the Chair will hold that the amendment is in order.

Mr. DENT. Mr. Chairman, I make the point of order, and ask the Chairman to rule.

The CHAIRMAN. Will the gentleman from Alabama state the ground on which he thinks this amendment is not in order?

Mr. DENT. I think it is new legislation and not germane.

Mr. MILLER of Minnesota. If the gentleman will permit, if that is all he intends to say, including the argument of the gentleman from Kentucky, this is not a limitation on the appropriation. This is prescribing a penalty for the commission of an act, and that is general legislation, just as though he put a penal code in here. This does not say the appropriation shall be limited in any manner whatsoever. It simply says if a man performs an act which in his judgment he thinks he should not perform, he shall not receive any pay. It is creating an offense and prescribing the punishment therefor.

The CHAIRMAN. The Chair does not understand what offense is created by this amendment, or what punishment is fixed. A limitation, as has been often stated, deals negatively with the application of money which the House may, or may not, appropriate at its pleasure. It matters not how meritorious the subject matter may be, the House can decline to appropriate for the same. It can put a negative restriction upon the use of the money which is appropriated. We can not prescribe that money shall be used in some particular fashion, but we can provide how it may not be used. A few days ago an amendment was under consideration in the Committee of the Whole which on appeal was held to be a limitation. This amendment was as follows:

Provided, That no part of the appropriation herein shall be used unless all former ex-employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions, provided they have received an honorable discharge.

A point of order to this amendment was fully argued, and on appeal it was decided as stated above that the amendment was a limitation, although apparently it was more affirmative than negative in its character.

The amendment under consideration deals entirely with money. One of the most interesting illustrations of a limitation, pure and simple, is found in the canteen case. The language used in that amendment was as follows:

No part of this appropriation shall be apportioned to any National Home for Disabled Volunteer Soldiers which contains a canteen where intoxicating liquors are sold.

The amendment did not undertake to say that the trustees should abolish the canteen before they secured the benefit of the appropriation. The amendment did not require the trustees to do anything affirmatively, but simply contented itself with saying that in those homes where the canteen was found, the appropriation should not be expended.

What are the provisions of this amendment? It does not impose any duty upon the officers referred to. It merely declares that when an officer has done any one of the things mentioned, no part of the money appropriated shall be paid to that officer. It may or may not be a wise act on the part of the committee to agree to this amendment, but the Chair is not concerned with that phase of the situation. This amendment is simply a negative inhibition upon the use of the money appropriated. It provides that it shall not be applied under certain indicated conditions.

It does not deal with anything but money. If it is not a pure limitation, the Chair is unable to apprehend what a limitation is. Certainly if this amendment does not come within the canteen case, not to speak of the case that was decided a few days ago, the Chair would be at a loss to prepare a limitation that would be in order. In the judgment of the Chair this is a limitation, conforming to the requirements of the precedents, and the point of order is overruled.

Mr. GREENE of Vermont. Mr. Chairman, I would like to be heard in opposition to the amendment.

Mr. FIELDS. Mr. Chairman, if the point of order is overruled, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to proceed for five minutes on the merits of the amendment. Is there objection?

Mr. MILLER of Minnesota. Reserving the right to object, Mr. Chairman—

Mr. CAMPBELL of Kansas. Mr. Chairman, I did not understand the Chair to rule on the point of order.

The CHAIRMAN. The Chair overruled the point of order and held the amendment to be a limitation.

Mr. DENT. Mr. Chairman, I ask unanimous consent that all debate on the amendment offered by the gentleman from Kentucky and all amendments thereto be concluded in 15 minutes.

Mr. MILLER of Minnesota. I wanted five minutes.

The CHAIRMAN. The gentleman from Alabama [Mr. DENT] asks unanimous consent that debate on this amendment and all amendments thereto shall terminate at the expiration of 15 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The Chair will ask the gentleman from Alabama in this connection how the time is to be apportioned.

Mr. BAER. I would like to have a couple of minutes.

The CHAIRMAN. How is that 15 minutes to be apportioned?

Mr. DENT. I will ask the Chair to distribute it.

Mr. WALSH. Reserving the right to object, Mr. Chairman, does that include the five minutes which the gentleman from Kentucky is to occupy?

The CHAIRMAN. It includes it.

Mr. FIELDS. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

Mr. MILLER of Minnesota. We can not have two requests for unanimous consent pending at the same time, can we?

The CHAIRMAN. Not if objection is made. The Chair thought the reading of the amendment would facilitate the agreement as to time, but the Chair will submit the first request. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Kentucky [Mr. FIELDS] will be read.

The Clerk read as follows:

Amendment offered by Mr. FIELDS: Page 22, at the end of line 11, insert:

"Provided, That no part of the funds herein appropriated shall be applied in payment of the salary of any officer of the Army of the United States who shall promulgate or cause to be promulgated any order prohibiting social intercourse between officers and enlisted men of the United States Army while not on military duty, or that will in any way establish or attempt to establish social or class distinction between officers and men or between officers of different ranks while not on military duty: *Provided*, That this limitation shall not apply to officers whose only connection herewith is in obedience to an order of a superior officer."

Mr. BARKLEY. Will the gentleman yield for a question?

Mr. FIELDS. Please make it very brief. I have only five minutes.

Mr. BARKLEY. I should like to ask my colleague if he is acquainted with any other order of this sort excepting that issued by the general at Camp MacArthur?

Mr. FIELDS. Yes; I heard of a case last summer over at Boston, where a private had come home on a furlough, and a dance was given in honor to him by his friends. An officer happened to be present, and the officer soon called him to one side and said, "Do you know who I am?" He said, "Yes." "Well," said the officer, "you evidently know what to do." And he said yes. He spoke to the young lady that he was with—and, by the way, to whom he was engaged—and told her he would have to absent himself from the hall because this officer was there, and he could not remain. He was getting ready to leave the floor when some one asked, "What is the trouble?" He told what the trouble was. Fortunately, one of the gentlemen in charge went to this officer and said, "Are you here by invitation?" "Yes, sir," replied the officer. "Well, your invitation is revoked," said the gentleman; and that is the spirit of the American people. [Applause.]

Mr. BARKLEY. The gentleman has not answered my question as to whether any other order of this kind was ever promulgated?

Mr. FIELDS. Oh, yes; this same question caused the Senate to pass a resolution in the second session of this Congress inquiring of the Secretary of War whether Army regulations authorized the promulgation of such an order. I have not the time to read the reply of the Secretary of War; but I will say to my colleague that there is nothing in the regulations that authorizes an order of the character to which I have referred, and men who promulgate orders of that kind do it

without authority from the War Department. They do it without any authority except their own authority.

Now, gentlemen of the Committee, this proposition is before you. You have got to vote on it. Every home in this country will indorse this amendment. Every home in this country, unless it is the home of a commissioned officer, will condemn the order that was issued at Fort MacArthur, Tex. This amendment inflicts no penalty on Army officers. It only says to every Army officer, "The private, while not on duty, is as good as you so long as he behaves as well as you behave." It only says to the officer, "The private, like you, is an American citizen." It only says to the officer, "The private, like you, is a citizen of a democratic Government, and there shall be no class distinction between you, by executive order, while you are not on military duty."

Now, some gentlemen will attempt to argue the point, I have no doubt, that this will interfere with discipline. I am told that in France—and can we criticize her army?—the most cordial relations exist between the officers and men while not on duty, although discipline is enforced while they are on duty.

Mr. McKENZIE. Will the gentleman yield?

Mr. FIELDS. Yes.

Mr. McKENZIE. I desire to ask my colleague what he proposes to do? Does he propose to keep the officer in the Army, even after we have decided not to pay him, under this proposition?

Mr. FIELDS. That will be taken care of. He will be out of the Army if he does not get his pay, just as you and I would be out of Congress if we did not get ours. [Laughter.] I will say to my colleague that he need not worry about that. If the amendment is written into the bill, the officers will all receive their pay, but there will be no further orders of this character. The privates and officers will get together at the church; they will get together at the theater; they will get together at political conventions if they desire to do so; and will find that the world will continue to move on.

Mr. SWITZER. Will the gentleman inform me who will enforce this against the officers?

Mr. FIELDS. Does the gentleman suppose that the Comptroller of the Treasury would pay contrary to this provision?

Mr. SWITZER. I do not know.

Mr. FIELDS. That will be cared for, I will say to the gentleman from Ohio. If this amendment is written into this bill, we will not have any more orders of this character issued by Army officers. I hope that the amendment will be adopted.

The CHAIRMAN. The time of the gentleman has expired.

The Chair understands that the time is to be divided among three gentlemen, and the Chair will recognize the gentleman from Vermont for three minutes.

Mr. GREENE of Vermont. Mr. Chairman, the amendment proposed by the gentleman from Kentucky [Mr. FIELDS] invites a discussion of the whole social code. From the beginning in the Garden of Eden to the present time that code has been in process of development by the experience of mankind, and yet no one has given to the world a satisfactory definition of the word "gentleman." When you have undertaken to write into the law that you will withhold a man's pay if away from professional duties he undertakes to make class distinctions which another man can charge against him, you have opened up an opportunity for blackmail that will knock the oppressions of former days under the so-called Mann law sky high. [Laughter.] Any private soldier or enlisted man who thinks he has a grievance against an officer—for, mind you, you have not limited this to written orders—in the exercise of authority—

Mr. FIELDS. This does not apply to military authority.

Mr. GREENE of Vermont. If the officer has sought to draw a distinction in social life between a man and another soldier, a complaint can be lodged formally against the officer, and until it is settled through some court or tribunal he does not get his pay. You can see in this the handy club for blackmail. Then you come back to the old fundamental question that the world, through ages of experience, has never settled—what does constitute class distinction and what does constitute the conduct of a gentleman in social life? You are leaving it for an amendment to an appropriation bill for the first time in the history of civilization to determine that world-wide, age-old question. It is perfectly ridiculous and outrageous and the effect it will have upon the aggrieved, insolent, and defiant soldier will be to put a club in his hand that will make no end of mischief. It is going back to the same principle as is that which happened in the Russian Army as soon as they had a little liberty. The first proposition was to say that no man

thereafter should salute an officer. [Applause.] That is what you propose to do now.

Mr. MILLER of Minnesota. Mr. Chairman, should this be written into law in my judgment you might as well disband your Army. Every effort that has ever been made to regulate social affairs and groups of individuals has usually resulted in failure. But as one I have observed the Army—both men and officers—to some degree, and I think it is true and safe to say that the social station in our Army is magnificent and splendid. Now, the gentleman has cited two instances that are abhorrent, and upon them he seeks to base an argument.

Mr. FIELDS. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. I can not yield, though I would if I had the time. Nobody indorsed the conduct of those officers. The Army itself did not indorse it. The Army itself immediately rectified the error, and what more do you want to ask? Let the officers of the Army who are gentlemen regulate the conduct of their fellow officers as they will and as they have done. I have seen privates many times at social functions and in social gatherings where officers were present, and I have had them say to me—and they would talk to me because I was not an officer—"I wish to hell I was out of here; I want to go where I can have a good time with my own crowd!" They were there—properly there—but those things regulate themselves. Let us not monkey with it here on an appropriation bill. The gentleman from Vermont [Mr. GREENE] pointed out the real vice in this amendment. It will destroy the organization and the discipline of the Army instantly, for it is an invitation to every man who either has or has not a grouse or who thinks he has to file a complaint; and what officer for a moment will know whether he is going to draw his next month's pay or not? Listen to the language and see how exceedingly difficult it is to understand, and ask yourself what you would do if you were called upon to construe it: "or that will in any way establish, or attempt to establish, social or class distinction between officers and men, or between officers of different rank."

Class distinction between officers and men! The fact that one man is an officer and the other is a private makes a class distinction, but one that does not and should not interfere in the least with their proper relations one with the other. If the officer performs the function he is appointed to perform and which he is commended for in the law, he would have to violate the very terms of this amendment which we seek to put into the law.

"Or between officers of different rank."

I suppose if Gen. Pershing, or Gen. Liggett, or Gen. March were to meet a second lieutenant, he must sit down with them, for it would not be proper for the second lieutenant to remain standing while the general is seated, and they would have to bob and bow and it would be another case of "After you Gaston. No, you first, Alphonse." [Laughter.]

Mr. DENT. Mr. Chairman, I dislike very much to differ with my colleague on the committee, the gentleman from Kentucky [Mr. FIELDS], but I do not think his amendment ought to have any place on an Army appropriation bill. I do not think the bill should be handicapped with legislative provisions of this kind. Without going into the merits of the proposition, we all know as a matter of fact there has been a distinction in caste between officers and enlisted men, but I am sure that the House at this time, with all of the trouble that we have trying to write legislation in this bill, is not willing to state what an officer shall do as to the particular caste between his grade and rank and what he shall do as to the particular caste between him and the enlisted man. It seems to me that this has no place on the bill. That is the way it strikes me, and I hope it will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky.

The question was taken; and on a division (demanded by Mr. FIELDS) there were—ayes 17, noes 39.

So the amendment was rejected.

Mr. FIELDS. Mr. Chairman, I offer another amendment, which is at the Clerk's desk.

The Clerk read as follows:

Page 2, at the end of line 11, insert:

"Provided, That no part of the funds herein appropriated shall be applied to the payment of the salary of W. H. Woolworth, major, Infantry, United States Army, and E. E. Lambert, major, Adjutant General's department, United States Army."

Mr. FIELDS. Mr. Chairman, these are the gentlemen who issued the order that has been so much discussed upon the floor of the House. I do not approve of the order that was issued. If a gentleman in my employ issued an order of that sort, I would discharge him, and I believe that the people of the United States, if it were up to their individual will, would do the same thing.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. FIELDS. No; the gentleman declined to yield to me.

Mr. MILLER of Minnesota. I had only 3 minutes, and the gentleman had 10.

Mr. FIELDS. Therefore, representing the people and my own feeling, I am anxious to fire these gentlemen who issued this order, not by virtue of any higher authority, but upon their own volition. The order, it is true, was revoked by Gen. Buck two days later, but that does not excuse the gentlemen who issued it; that does not relieve the humiliation of the men who were discriminated against in social affairs because of the order. I would, therefore, discharge these men from the Army by refusing to pay their salaries, and that is the purpose of the amendment, and that is all I have to say.

Mr. GREEN of Iowa. Will the gentleman yield to me for a moment?

Mr. FIELDS. Yes; I will yield.

Mr. GREEN of Iowa. Could not my friend include also the names of those officers who have been refusing to use any statements with reference to conditions which were presented in support of discharges, if he does not think that would be a good thing? If he would, I would be glad.

Mr. FIELDS. I thank the gentleman from Iowa, and I want to say this to the committee: That I think it is time for this House to quit making charges at random. I think we should lay the blame where it belongs. We should lay the responsibility where it belongs. A few men should not be permitted to bring the Army of the United States into disrepute, and when they, without authority, commit some act that causes the people of the country to look upon the Army of the United States as a band of crooks, why men responsible should be dealt with individually, and that is what I am trying to do by this amendment. A majority of this committee have said by their votes on my former amendment that they approve of caste in the Army—

SEVERAL MEMBERS. Oh, no!

Mr. FIELDS. And if I can get recognition to offer a motion to recommit, I will give you a chance to go on record on it, because it is my intention to make a motion to recommit, with instructions that this amendment be incorporated, and that will give the Members a chance to record their votes and their sentiments before the people upon this question of social distinction which the people condemn and which you condemn in private.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BAER. Mr. Chairman, I favored the first amendment because I believed there is some social distinction, but I do not favor this amendment because I do not believe we should single out isolated cases and legislate to cover those particular cases. The condition is more general, and it is unwise to pick out two men in the Army and chastise them. It would be worse than court-martialing.

Mr. FIELDS. You would convict a whole community—

Mr. BAER. I can not yield. I favored the gentleman's first amendment because I believe the good old document stated that all men are created free and equal, but I do not believe in singling out two men in the Army and passing legislation only to cover them.

Mr. BARKLEY. Especially when their action pertains to a pink tea and when there is some substantial complaint to be dealt with—

Mr. BAER. I agree with the gentleman. I want to recite an instance that occurred recently at Camp Humphreys, where I spoke at Liberty Hut, and the first 10 rows of seats were reserved for the officers. The men could not sit with the officers, and the boys boycotted the theater the night after it was opened. I think that kind of a thing encourages junkerism and bolshevism, the very things that we are trying to destroy in this country.

I believe that this discrimination should be eliminated in our Army as far as practicable, and I believe if the gentleman will bring in the right kind of legislation into this House it will pass. We want to do away with Prussianism in our Army.

Mr. SHERWOOD. They ought to cashier some of these officers and make an example of them.

Mr. DENT. Mr. Chairman, I ask that debate on this amendment and all amendments thereto close in 11 minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate on this amendment and amendments thereto shall close in 11 minutes. Is there objection?

Mr. MILLER of Minnesota. Reserving the right to object, Mr. Chairman, I want to inquire whether those who are to have these 11 minutes are to be for or against the amendment or whether the time is to be equally divided?

Mr. RUCKER. Both.

Mr. MILLER of Minnesota. If it is to be equally divided, it is all right.

Mr. DIES. I will give the gentleman my views when I get my five minutes.

Mr. MILLER of Minnesota. I think it is only fair to inquire.

Mr. DIES. There will not be any doubt as to what my views are.

Mr. MILLER of Minnesota. I think it would be only fair—

Mr. DIES. I do not propose to have the gentleman censor my speech.

Mr. MILLER of Minnesota. I have not any desire to do that. I expect to listen to it with the utmost delight, and I am willing that the gentleman should have 10 minutes, if he desires it, but I am not willing to have the debate all on one side of the question and then have the debate close. I think the gentleman will appreciate the justice and fairness of that. I do not want any time. I am not going to make a speech.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. The gentleman from Texas [Mr. DIES] is recognized for five minutes.

Mr. DIES. Mr. Chairman, I am very much surprised that gentlemen should complain that there is class distinction in the Army, as if any intelligent man ever lived in the world who did not know that the spirit of democracy and equality and fraternity never could live in a military atmosphere. [Applause.] I am not surprised that the nephew of the Member of Congress was not allowed to sip cocoa with his uncle in the presence of a military officer, because that spirit is the history of the world from the very dawn of time. I do not care who wrote upon it in the days that are dead and gone, they have said that this spirit, that love of the spirit of democracy, the eternal equality and fraternity of mankind, could never live and has never lived in the military atmosphere, in the spirit of military caste.

But that is not the thing, the big thing, in this bill. You have a bill here, and there is not a man in Congress, in either branch of it, that can read and understand what it means. The big thing before the American people to-day, and every man who speaks should measure his words in the full responsibility of this tremendous hour, the big thing is that you have 750,000 men under arms in peaceful United States three months after the war is over, and you can not get the boys back to the farm to till the untilled acres that lie fallow in this country. Another big thing is that you have got 2,000,000 men under arms in France three months after the Germans have abjectly surrendered their arms, laid down their weapons. You have got 2,000,000 American soldiers in France and you can not get them back home.

Mr. BLACK. Will my colleague yield for a question?

Mr. DIES. I have only five minutes.

Mr. Chairman, I measure my words when I say that I believe that the President of the United States is about to make an agreement with France and Great Britain to the effect that 400,000 American soldiers shall be left in France as a police against possible invasion by some other power. The Associated Press some days ago carried the statement that the agreement had been made that France was to keep 800,000 men, Great Britain 200,000 men, and the United States 400,000 men.

If I live, Mr. Chairman, I shall vote against this bill, unless amended so as to cut out this standing Army of 500,000 men. In the first place, the chairman of the committee and every member of the committee knows not what it means. But to me it means not the entering wedge but the consummation of a great standing Army of 500,000 men in this Republic. In 1913, 1914, 1915, and 1916 the General Staff of the Army recommended a standing Army of 500,000 men. Just a few weeks ago they went before this committee and demanded a standing Army of 500,000 men, and they wrote this camouflaged language which still gives them 500,000 men.

Mr. Chairman, the word "armistice" means a truce, but the President of the United States and Marshal Foch and every military critic in the world has said that the surrender on the 11th day of November was an unconditional surrender of the German armies. And to all intents and purposes, both in truth and in fact, this war is over. And if you have got to leave 400,000 American soldiers in France to-day, in the condition that Germany is in, you will have to leave more than that number next year and a still greater proportion in the year following. Do you know, Mr. Chairman, if I live I am going to vote against this bill?

Mr. DENT. Mr. Chairman, will the gentleman permit me to ask him a question?

Mr. DIES. Yes.

Mr. DENT. Did the gentleman vote for the conscript law?

Mr. DIES. I voted for the conscript law, and I voted to place the American flag in defiance of the German Empire. But when the German Empire strikes her flag and lays down her arms in unconditional surrender, I am not willing to foist upon the American people a great Military Establishment in time of peace. [Applause.]

Instead of members of this committee quibbling over the fact that some Army officer thinks himself better than some private, they had better go and take the bill brought to the Committee on Military Affairs and strike from it the standing Army of 500,000 men. They neglect to state that we have 750,000 soldiers in the United States in the Army who can not get out. Let me tell you something: The American people are going to have something to say about this. You have in the Army to-day nearly 3,000,000 men. Out in my neighborhood the farms lie fallow, and the farmers demand that their boys shall be permitted to come home to make a living for their fathers and their mothers. The American people have the right to say a word, and if Army officers dominate the Committee on Military Affairs, then this Congress should take charge of this bill and demand that this thing should stop. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. RUCKER. Mr. Chairman, it is rather refreshing to sit here and hear all the delightful things that have been told us in the last few minutes with reference to subordinate officers of the Army. One Member tells that after having taken a commissioned officer out for a drive, he took him to a leading hotel in this city and invited him to take a cup or glass of something with himself and his nephew, and the officer became indignant and refused to sit at the table with his nephew, and then that Member of Congress closed his speech without assuring us that he had the nerve to tell that soldier to go to hades in plain old-fashioned language. [Laughter.] Another gentleman tells us that at some time, at some place, commissioned officers held that private soldiers could not go to the theater that night, "because we commissioned officers are going."

I do not know whether all we have heard is true or not true, but I do know this—at least I think I know it—that some subordinate military officers in this Nation to-day, after only about 18 months of war, have become arrogant, dictatorial, big-headed, and so puffed up that if something is not done they are going to swell up and bust—and I wish they would! [Laughter and applause.]

I think the gentleman from Kentucky [Mr. FIELDS] ought to include in his amendment a provision or a proposition forbidding subordinate officers who receive pay from the Federal Treasury, in bold defiance of orders issued by the War Department, to arbitrarily refuse to perform the duties devolving upon them. I think that all these little misfits who wear straps on their shoulders ought to be reprimanded and disciplined until they cease the ungentlemanly and contemptible practice of tearing up letters that Members of Congress write to them in behalf of their constituents.

I have been told that they do that. I have a letter received to-day from a patriotic citizen, a prominent physician in my district, inclosing a letter from his son now in a military camp in the United States, in which the soldier asked his father—the father sent me the letter—to request me, his Representative in Congress, to go in person to the War Department in Washington and appeal to some one in authority in his behalf in an effort to secure his discharge from camp, where, as he says, he is doing absolutely nothing, and allow him to return to his farm. "But," he says, "tell Mr. RUCKER for the Lord's sake not to write a letter to any officer at this camp, because if he does it will make the officers here sore at me." Lord, if I had my way I would tie each and every officer of that kind to the business end of a Missouri mule and make the mule kick him into kingdom come. [Laughter and applause.]

I know another case of a soldier boy who, when he enlisted in the Army, left his father's farm consisting of 600 or 800 acres of good productive land, a farm which the boy, prior to enlistment, had managed and operated for his father, because the father was not physically able to manage the farm himself; he was the only son in the family and was badly needed at home.

For months he has been down at Camp MacArthur, Tex., doing nothing most of the while but killing time. With the approach of spring this young man became anxious to return to his home on that beautiful Missouri farm and to again follow the plow and raise corn and wheat and cattle to help feed the world. Orders were issued requiring applications for discharge to be accompanied by affidavits showing applicant's connection with agriculture and the necessity for his return to his home. This soldier obtained affidavits from respectable and honorable men,

Including members of the local draft board, proving that his father owns 600 or 800 acres of land; that he, the father, could not do the farm work required; and that he, the son, is the only young man on the farm, and that reliable hired help could not be obtained. He submitted his application and affidavits to one of these little puffed-up officers, and he had the arrogance, impudence, and insolence to reply, "Oh, if your father has got 600 or 800 acres of land, let him sell his land and retire. He does not need you to run the farm." There has been some discussion here of universal military training; but I have got enough of it. We want no large standing Army; we want no compulsory universal military training; we have whipped the Germans; the war is over, and the people now want their boys sent home and the great efforts of President Wilson to secure an enduring peace to become an accomplished fact. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENT. Mr. Chairman, there may be a great many isolated instances in which some Army officers have not acted in exact accord with the way that we would want them to act; but to try any particular officers in a debate on an appropriation bill without any hearing and without any opportunity for them to be heard, it seems to me would be an outrage. I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment of the gentleman from Kentucky [Mr. FIELDS].

The amendment was rejected.

The Clerk read as follows:

Purchase of subsistence supplies: For issue as rations to troops, including enlisted men of the Regular Army Reserve and retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital matrons, nurses, applicants for enlistment while held under observation, general prisoners of war (including Indians held by the Army as prisoners, but for whose subsistence appropriation is not otherwise made), Indians employed with the Army as guides and scouts, and general prisoners at posts; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army transport service; hot coffee for troops traveling when supplied with cooked or travel rations; meals for recruiting parties and applicants for enlistment while under observation; for sales to officers, including members of the Officers' Reserve Corps while on active duty, and enlisted men of the Army: *Provided*, That the sum of \$12,000 is authorized to be expended for supplying meals or furnishing commutation of rations to enlisted men of the Regular Army and the National Guard who may be competitors in the national rifle match: *Provided further*, That no competitor shall be entitled to commutation of rations in excess of \$1.50 per day, and when meals are furnished no greater expense than that sum per man per day for the period the contest is in progress shall be incurred. For payments: Of commutation of rations to the cadets of the United States Military Academy in lieu of the regular established ration, at the rate of 68 cents per ration; of the regulation allowances of commutation in lieu of rations to enlisted men on furlough, enlisted men and male and female nurses when stationed at places where rations in kind can not be economically issued, including enlisted men of the Regular Army Reserve and retired enlisted men when ordered to active duty, and when traveling on detached duty where it is impracticable to carry rations of any kind, enlisted men selected to contest for places or prizes in departments and Army rifle competitions while traveling to and from places of contest, male and female nurses on leave of absence, applicants for enlistment, and general prisoners while traveling under orders. For payment of the regulation allowances of commutation in lieu of rations for members of the Nurse Corps (female) while on duty in hospital, and for enlisted men, applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners sick therein, to be paid to the surgeon in charge; advertising; for providing prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks, the total amount of such prizes at the various schools not to exceed \$900 per annum; for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army, \$120,000,000.

Mr. WINGO. Mr. Chairman, I desire to make a point of order on the word "advertising," in line 7 on page 24. That is not authorized by existing law.

Mr. DENT. I concede the point of order.

Mr. WINGO. I would not object to a reasonable sum for advertising, but under that particular section he might spend \$120,000,000 for advertising.

Mr. DENT. I agree that the point of order ought to be sustained.

The CHAIRMAN. The point of order is sustained.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania: Page 24, line 14, after the figures "\$120,000,000," add the following: "*Provided*, That the purchase of subsistence supplies shall not be made except after advertisement in accordance with existing law."

Mr. DENT. I will accept that amendment.

Mr. BLACK. I move to strike out the last word. I call the attention of the Chair to the fact that he has stricken out the word "advertising" in the bill, and I should like to know where there would be any money to pay for the advertising?

Mr. WINGO. Mr. Chairman, this item is for \$120,000,000 for the subsistence of the Army. I will not undertake to reduce it,

because I have not the slightest idea whether it is the proper amount. I trust members of the committee will listen to me in what I say now. I listened to the general debate and the questions that were answered by the members of the committee, and on reading the hearings as best I could I find that this item of \$120,000,000 is nothing but an estimate, which was made up under this kind of instructions, that the chief of the finance department of the Army called upon the different departments to make estimates of the amount that would be required for an Army of 500,000 men for one year. That is the statement of the committee. That is the statement, as I understand it, that was read from the hearings, the statement of the officer who is responsible for these estimates. Is there any man in this House who knows whether or not they need all this \$120,000,000? I have had it stated to me upon reputable authority that they have got enough baked beans already in warehouses to last the city of Boston for 24 hours and to last the rest of the country for 10 years. [Laughter.] Why should we make appropriations for that? They have supplies of different kinds piled up in warehouses all over this country. If they are going to demobilize the Army and cut it down to a 500,000 basis during this year, what are they going to do with these millions of supplies that they have got piled up? Are they going to sell them and throw them upon the market?

But no one with any sense of responsibility wants to move to cut down the item because we do not know. We want the boys fed. There are 500,000 men, or half a million.

Mr. SHALLENBERGER. I will say to the gentleman that he is right about the surplus supplies, except the items of subsistence, and I am glad he is not going to move to reduce it. The head of the finance department said that there will be no stock on hand by the beginning of the next fiscal year.

Mr. WINGO. Have they no coffee on hand?

Mr. SHALLENBERGER. They have now, but at the beginning of the next fiscal year it will be consumed.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. MOORE of Pennsylvania. May not that be due to the fact that the Army is disposing of supplies now—getting rid of them?

Mr. WINGO. We know it is a thankless task—we are not blind to the reputable statements that come every day about the waste of supplies in the United States Army, and the sales that are going on.

Mr. TILSON. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. TILSON. We inquired about that. In fact, the baked beans was a matter of inquiry. We were told in committee that the extraordinary supplies they have on hand are going to be put on rations—that is, they are going to be used up—and it is some time now to the 1st of July. The best information we could get was that a great many of these things would be used up, so that the amount we have here asked for would be necessary for an Army of that size.

Mr. WINGO. I hope that is true. I do not want the Army to live on "advertising," which item was in this supply section.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

The Clerk read as follows:

REGULAR SUPPLIES.

Regular supplies of the Quartermaster Corps, including their care and protection; construction and repair of military reservation fences; stoves and heating apparatus required for the use of the Army for heating offices, hospitals, barracks and quarters, and recruiting stations, and United States disciplinary barracks; also ranges, stoves, coffee roasters, and appliances for cooking and serving food at posts in the field and when traveling, and repair and maintenance of such heating and cooking appliances; and the necessary power for the operation of moving-picture machines; authorized issues of candles and matches; for furnishing heat and light for the authorized allowance of quarters for offices, including members of the Officers' Reserve Corps when ordered to active duty, and enlisted men, warrant officers, and field clerks, including enlisted men of the Regular Army Reserve and retired enlisted men when ordered to active duty; contract surgeons when stationed at and occupying public quarters at military posts; for officers of the National Guard attending service and garrison schools, and for recruits, guards, hospitals, storehouses, offices, the buildings erected at private cost, in the operation of the act approved May 31, 1902, and buildings for similar purposes on military reservations authorized by War Department regulations; for sale to officers, and including also fuel and engine supplies required in the operation of modern batteries at established posts; for post bakeries, including bake ovens and apparatus pertaining thereto and the repair thereof; for ice machines and their maintenance where required for the health and comfort of the troops and for cold storage; ice for issue to organizations of enlisted men and offices at such places as the Secretary of War may determine, and for preservation of stores; for the construction, operation, and maintenance of laundries at military posts in the United States and its island possessions; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under

observation; authorized issues of soap; toilet paper and towels; for the necessary furniture, textbooks, paper, and equipment for the post schools and libraries, and schools for noncommissioned officers; for the purchase and issue of instruments, office furniture, stationery, and other authorized articles for the use of officers' schools at the several military posts; for purchase of relief maps for issue to organizations, commercial newspapers, market reports, etc.; for the tableware and mess furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; for forage, salt, and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, and for the horses of the several regiments of Cavalry and batteries of Artillery, and such companies of Infantry and Scouts as may be mounted; for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian and Philippine Islands, and for labor and expenses incident thereto, including, when specifically authorized by the Secretary of War, the cost of irrigation; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blank books and blank forms for the Army, certificates for discharged soldiers, and for printing department orders and reports, \$100,000,000: *Provided*, That the funds received from such sales and in payment for such laundry work shall be used to defray the cost of operation of said ice, laundry, and electric plants and the sales and expenditures herein provided for shall be accounted for in accordance with the methods prescribed by law, and any sums remaining after such cost of maintenance and operation have been defrayed shall be deposited in the Treasury to the credit of the appropriation from which the cost of operation of such plant is paid.

Mr. WINGO. Mr. Chairman, I desire to make some points of order on different items in the paragraph. The first item I wish to direct the attention of the Chair to is "commercial newspapers," line 9, page 26. That is not authorized by existing law.

Mr. DENT. I think the point of order should be sustained.

The CHAIRMAN (Mr. CRISP). The Chair sustains the point of order.

Mr. WINGO. The next point of order is on "market reports."

Mr. DENT. I think the gentleman is going to save a lot of money by this, and I think the point of order should be sustained.

Mr. ANTHONY. Mr. Chairman, while the items are undoubtedly subject to a point of order, yet the market report to a purchasing office of the Army is undoubtedly of very great value, and does not the gentleman think that we ought to allow a man purchasing hundreds of thousands and millions of dollars' worth of supplies to have the market reports?

Mr. WINGO. There is something in what the gentleman says. But here is the fact. In modern times a purchasing officer does not have to have any market reports. He can call on the men to submit bids and copies of the market reports.

Mr. ANTHONY. I disagree with the gentleman. I think he ought to have independent means of arriving at the proper market values of the articles that he is going to buy. I think Congress ought to furnish him with every facility of information.

Mr. WINGO. Does not the gentleman think that 90 per cent of the people can pick up the morning paper and get all the market reports that are necessary?

Mr. ANTHONY. No. Every commercial house has the benefit of the latest market advice, and I think the Army officers ought to have the benefit of the market reports.

Mr. WINGO. If they were on the market hour by hour; but they are not in just the attitude of the commercial houses buying hour by hour, and they do not need to keep up with the market to that extent.

Mr. ANTHONY. While the items are undoubtedly subject to a point of order, I think it is vitally necessary that we should give the officer the benefit of these reports.

Mr. WINGO. Here is a blanket item of \$100,000,000, including everything from toilet paper to electric-light plants. If the War Department were to come to the committee and say we want so much for toilet paper, so much for towels, and we want so much for an electric-light plant, and tell Congress where they propose to erect it, so that Congress could pass upon it, I should not object. But they bring in an estimate here for \$100,000,000, which is nothing but a lump-sum appropriation covering everything from market reports and toilet paper to electric-light plants, and it is not a businesslike way of spending the money that is now very scarce in the United States Treasury. For that reason I made up my mind that I was going to compel these officers to make proper estimates when they come to Congress.

The CHAIRMAN. The Chair is ready to rule on the point of order. The Chair sustains the point of order.

Mr. WINGO. Mr. Chairman, the next point of order is on the purchase of seed, on page 26, line 19, down to and including line 21—

For seeds and implements required for the raising of forage at remount depots—

And so forth. That is not authorized by existing law.

The CHAIRMAN. Does the chairman of the committee desire to be heard?

Mr. DENT. I can not put my finger on any such provision, and if the gentleman wants to strike it out, well and good.

Mr. MANN. Well, what goes out?

Mr. STAFFORD. To what phraseology is the point of order made?

The CHAIRMAN. The Chair will ask the gentleman from Arkansas to please designate the language to which he has made the point of order.

Mr. WINGO. Commencing with the words "for seeds," in line 19, and going down to and including the word "thereto," in line 22, page 26.

The CHAIRMAN. The point of order is sustained.

Mr. MANN. That would not make any sense, leaving that in that way.

Mr. WINGO. That is not the only item in the bill that does not make sense.

Mr. MANN. The item in the bill as it is makes some sense; but the way the gentleman leaves it, it does not make sense.

Mr. STAFFORD. The way it is reported by the committee makes sense.

Mr. WINGO. Then I shall make the point of order down to and including the word "irrigation," on line 24. Will that satisfy the gentleman?

Mr. MANN. That will at least make sense, whether it is sense or not.

Mr. WINGO. Then let us make something out of it. I think the word "irrigation" should be included.

The CHAIRMAN. The Chair understands the gentleman from Alabama concedes the point of order.

Mr. DENT. Yes.

The CHAIRMAN. The Chair sustains the point of order.

Mr. WINGO. Mr. Chairman, on page 27, lines 3 to 11, inclusive, I make the point of order against the proviso. It is not authorized by existing law. It provides practically for a revolving fund.

The CHAIRMAN. What does the gentleman from Alabama say?

Mr. DENT. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. MANN. Mr. Chairman, I desire to make a point of order before I lose my rights.

Mr. ANTHONY. Mr. Chairman, will the gentleman from Arkansas reserve the point of order?

Mr. WINGO. Certainly.

Mr. ANTHONY. Is it the gentleman's idea to blindly strike out items all through this bill by making points of order where the items themselves are meritorious?

Mr. WINGO. No.

Mr. DENT. Certainly that is the gentleman's idea.

Mr. WINGO. Let me answer the gentleman. The gentleman has asked what my motives are. They are to compel a cessation of the habit of the House blindly voting appropriations for the War Department without proper classification in the bill.

Mr. ANTHONY. Let me make this statement to the gentleman in regard to the items "for seeds and implements," which he seeks to strike out on a point of order.

Mr. WINGO. Very well.

Mr. ANTHONY. That enables the Government at the remount stations at Fort Kehoe, Mont., and Front Royal, Va.—I think it is—to utilize the Government lands for the raising of forage for the animals, and it has been shown to the committee that the Government makes quite a large amount by the raising of the forage on the Government land and with the Government labor at those places. That is the reason for the provision for seeds and implements. It is a practical business proposition.

Mr. WINGO. Does the gentleman say that is also true in respect to Hawaii?

Mr. ANTHONY. These are at Fort Kehoe and at Front Royal.

Mr. WINGO. What about Hawaii?

Mr. ANTHONY. I do not know about those, but I imagine they are upon the same line.

Mr. WINGO. If the War Department or if the Government has a remount depot and they can use the stock and the men they have there for certain limited operations, that will be a saving, an economy, well and good, but they come in here and hide this item in a hundred-million-dollar lump-sum appropriation. They should come in here and say that they need \$2,500 for this purpose or some other sum, so that we can determine whether they are asking for an extravagant amount or not.

Mr. TILSON. Has the gentleman seen the estimates? They are in detail.

Mr. WINGO. Why do you not make a detailed appropriation?
Mr. TILSON. We never have made detailed appropriations in this bill?

Mr. SHALLENBERGER. On this particular item, \$100,000,000, the amount asked for by the department was \$118,000,000 plus. Now, they gave a detailed statement—

Mr. WINGO. How much is that for seed?

Mr. SHALLENBERGER. They do not say how much for seed.

Mr. WINGO. The estimate does not show it?

Mr. SHALLENBERGER. Because that item includes forage. It is to be used to provide forage, and that includes bedding, seed, and so forth, which amounts to over \$21,000,000.

Mr. WINGO. And that \$21,000,000 has to do with that?

Mr. SHALLENBERGER. The committee went into the matter, and, as the gentleman from Kansas has suggested to the gentleman from Arkansas, these particular men having charge of producing the forage for the War Department made representations to us that they wanted that item of seed because they could use that seed and reduce the expense to the Government on that account, and we did not think that if they wanted \$100 or \$200 for seed that it was necessary—

Mr. WINGO. But the gentleman from Kansas has suggested this is to cover operations at two remount establishments for the purpose of raising forage, and the gentleman here says that this is a proposition to expend \$21,000,000—

Mr. SHALLENBERGER. That is for the forage item.

Mr. WINGO. Well, he says it refers to the raising of forage, and this is this item, at certain stations, and another gentleman, a member of the committee, says that it is included in the \$21,000,000, and the other says it does not include it.

Mr. SHALLENBERGER. It is for horses, seeds, and so forth. The item for seed is in the general item for forage, because it is to be used to raise forage, and instead of bringing in a separate item here for a few dollars' worth of seed it is included in the item for forage, which is the great item.

Mr. WINGO. Maybe the gentleman can determine how much is estimated for seeds and implements required for the raising of forage at remount depots, and so forth.

Mr. SHALLENBERGER. That particular item is not in detail in this statement, but it was very small, but the committee was given the information of what these particular seeds were to be used for, and that was for the raising of forage.

Mr. WINGO. Mr. Chairman, I insist on the point of order; it gets more confused the more explanation I have.

The CHAIRMAN. The point of order is sustained.

Mr. MANN. Mr. Chairman, I desire to make a point of order, on page 25, line 22, to the word "construction."

The CHAIRMAN. The Chair did not hear the gentleman.

Mr. MANN. I make a point of order, on page 25, line 22, to the word "construction." It is a provision "for the construction, operation, and maintenance of laundries," and so forth.

Mr. DENT. Mr. Chairman, I concede the point of order.

Mr. MANN. I think there is no necessity for its staying in now.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to offer an amendment, but first desire to make a parliamentary inquiry. Was the point of order against the proviso sustained?

The CHAIRMAN. It was.

Mr. MOORE of Pennsylvania. Then I shall have to amend my amendment.

Mr. WINGO. Mr. Chairman, there is another point of order which I think will be conceded, and that is to the words "and so forth," in line 10, page 26.

Mr. MANN. I do not think that is subject to the point of order.

Mr. WINGO. It is commonly understood to mean kindred items of a similar nature.

The CHAIRMAN. The Chair understood the gentleman in charge of the bill to concede the point of order.

Mr. MANN. If the point of order was conceded, I have no objection, but "and so forth" is not confined to commercial newspapers and market reports. "And so forth" covers items similar to the ones named before, and without that language it is almost impossible at times to get certain things—

Mr. WINGO. The gentleman is a good lawyer, and is it not the rule of construction that where you name several of these items that that would simply include those of a specific generic class, and by putting in "and so forth" that would not extend it any?

Mr. MANN. Why, yes.

Mr. WINGO. Why is it necessary to do it?

Mr. MANN. Because it sometimes occurs—

Mr. WINGO. If the committee want it in there and it will save time, I withdraw my point of order, but that is something remarkable in a legislative bill.

Mr. MANN. Oh, no; it is a very common item in a legislative bill.

Mr. WINGO. It is still a remarkable item.

Mr. MANN. If the gentleman had been over the decisions of the comptroller and auditor, he would not think it remarkable.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. Moore] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Moore of Pennsylvania: Page 27, line 2, after the figures "\$100,000,000" add the following:

"Provided, That purchases of regular supplies shall not be made except after advertisement in accordance with existing law."

Mr. DENT. Mr. Chairman, I agreed to accept that amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. WINGO. Mr. Chairman, I offer an amendment. I move to strike out "stoves and ranges" wherever it occurs in the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. Wingo: Strike out the words "stoves and ranges" wherever they occur in the paragraph beginning on line 15, page 24, and ending with line 11, on page 27.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. WINGO. Mr. Chairman, I offer the amendment not because I desire to prohibit the Army from having stoves and ranges but because my information is that prior to the signing of the armistice they had entered into contracts for enough stoves and ranges to take care of an army of four and one-half million men. If the armistice had not been signed, this quantity of stoves and ranges would have been delivered by May 1.

Mr. McKENZIE. Will the gentleman yield?

Mr. WINGO. I would like to complete my statement, and then I will yield.

Mr. McKENZIE. The gentleman does not assume that because the word "stove" is in here that they have to buy stoves?

Mr. WINGO. I am going to get to that. I know the language is in here, because it has always been carried.

As I was saying, if the armistice had not been signed, we would have had on hand stoves and ranges for an army of that size by May 1. I understand they had so many on hand they had to build warehouses in which to house them. I do not think the Committee on Military Affairs will challenge that statement. Now, if it is true, why authorize these men, this very department that has already on hand warehouses full of stoves and ranges, to go and spend a possible limit of \$100,000,000 for more stoves and ranges? I will tell you why it is put in the bill. It is put there for two reasons. First, because it has always been there, and, second, because the chief of the finance department called upon each division to report what they would need for an army of 500,000 men, and instead of checking off the things they already had in the warehouses, they put the whole estimate in there.

Mr. McKENZIE. Will the gentleman yield?

Mr. WINGO. I yield.

Mr. McKENZIE. I wish to ask the gentleman if he succeeds in striking out the word "stoves" in the next paragraph, and in the next appropriation bill it is found that it is necessary to buy some stoves for the Army, and the language is put in, he would make a point of order against it?

Mr. WINGO. Certainly not; because that does not cut any figure.

Mr. McKENZIE. Why not?

Mr. WINGO. I will not stop to argue that proposition, because the hour is too late.

Mr. MANN. The motion, as I understand it, has not been reported yet.

Mr. WINGO. It has been reported.

Mr. MANN. It was to strike out the words "stoves and ranges" wherever they occur in this paragraph. Did the gentleman indicate any place where they do occur in the paragraph?

Mr. WINGO. The word "stoves" and the word "ranges."

Mr. MANN. I find the word "stoves" in several places, but that was not the motion you reported.

Mr. WINGO. That was my motion, to strike out those particular words.

Mr. MANN. It was to strike out the words "stoves and ranges" wherever they occur. There is no such expression in that paragraph.

Mr. WINGO. My motion distinctly was to strike out those words wherever they appeared. If the gentleman wants to quibble on the grammatical construction—

Mr. MANN. The gentleman is quibbling on the construction of the bill. If he wants to offer an amendment, he ought to offer one that means something.

Mr. WINGO. When I move to strike out of a \$100,000,000 lump-sum item supplies now in the warehouses, that is not quibble. If the gentleman wants to be sure of it, I will make my motion more definite and certain.

Mr. DENT. Will the gentleman yield?

Mr. WINGO. All right.

Mr. DENT. I want to ask him one question. He has been fighting this bill ever since this afternoon.

Mr. WINGO. I have not. I have been fighting unjustified items in the bill.

Mr. DENT. I want to know what the gentleman's motive is, but—

Mr. WINGO. I will answer the gentleman.

Mr. DENT. Wait a minute.

Mr. WINGO. I decline to yield longer. The gentleman can not inquire into my motives.

Mr. DENT. The gentleman has not moved to reduce the amount in any case.

Mr. WINGO. Oh, yes, I have. I will say we have no estimate here for it. As to my motive, I have stated that several times. I believe, if possible, that we should cut out unnecessary authorizations of purchases of supplies that the Army is already glutted with.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENT. Mr. Chairman, I ask for five minutes.

The CHAIRMAN. The gentleman from Alabama is recognized for five minutes.

Mr. DENT. The gentleman from Arkansas [Mr. Wingo] has made objection to the language used in the bill, which has been carried from year to year, and which was carried in the bill prior to the declaration of war. Some of the language, perhaps, ought not to be there, because it is not authorized by law. But the gentleman from Arkansas does not make a single objection to the amount of the appropriation. The amount of money that was authorized by the committee has been recommended by the War Department. In many cases it is a guess. Now, does the gentleman from Arkansas want us to proceed along lines where we shall not have any Army appropriation bill at all during this session of Congress? I have not had on the other side of the House any opposition to this bill. Now, does the gentleman from Arkansas propose to defeat this bill on this side of the House, simply because he wants to change the language of the bill without changing the amount of the appropriations? [Applause.] That is what the gentleman from Arkansas is up against. I hope the gentleman from Arkansas will give us some good reason why he proposes to give us any further fight on this bill.

Mr. WINGO. Mr. Chairman, will the gentleman give me a chance to reply?

Mr. DENT. I have no objection to the gentleman replying.

Mr. TILSON. Mr. Chairman, just a word in regard to this item on stoves and ranges.

Here is a good reason why that language has been in the bill for a long time, and why, in my judgment, it ought to continue in the bill: In the first place, if that language is not in the bill, an officer would not be able under any circumstances to buy a stove or range, however much he might need it. Therefore, even during the next year, while we may have such a large stock on hand, it might be possible that some officer would need to buy a stove at some isolated place.

In the estimates for "Regular supplies" that were submitted to us, covering six pages of fine print, giving the items of everything that it is expected to purchase under these supplies, there is no mention whatever of stoves or ranges. The gentleman can look through the estimates and will find no such estimate, so that evidently it was not the intention of the department to buy any stoves or ranges at all during the next year. At the same time, as the gentleman from Alabama [Mr. DENT] has just suggested, I see no good purpose to be served in striking out this language, which has been carried for many years and which might become important at any time. As I understand, the only real reason suggested for striking it out of the bill is the fear that some Army officer will rush off and spend \$100,000,000 for stoves and ranges when we already have a supply of them.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. TILSON. I will yield to the gentleman.

Mr. MOORE of Pennsylvania. This question has been asked by several Members, Is it possible that the \$100,000,000 appropriated in this paragraph can be used in whole for any one of the specified purposes?

Mr. TILSON. Theoretically, yes; practically, no.

Mr. MOORE of Pennsylvania. Let me ask this question of the gentleman: Is there not an element of danger in giving this blanket authority? Suppose it was possible to spend \$100,000,000 for ice machines and their maintenance, although nearly 100 other items are provided for here, and we should get into an ice-machine contract that would call for a larger expenditure, until finally \$100,000,000 was expended in that way. Would not the Army suffer?

Mr. TILSON. If we are to assume that Army officers are going to behave as crooks and try to waste the money of the Government without attempting to get anything of value for it, I suppose there is a possibility that for one single year they might get away with a lot of money.

Mr. MOORE of Pennsylvania. Suppose, for the purpose of the argument, we do not concede that they are crooks. Let us take the case of an armor-plate plant, such as was referred to here the other day during the discussion of the naval appropriation bill, where it was developed that we had no armor-plate factory, although the money appropriated for an armor-plate factory had been expended. That would appear to be a diversion of funds not in accordance with the appropriation.

Mr. SHALLENBERGER. Mr. Chairman, will the gentleman yield?

Mr. TILSON. If the gentleman will excuse me a moment, this estimate which is furnished to the committee indicates, as to each item, what it is expected to buy under that item; but, in my judgment, it would be unwise for us to write the details of that estimate into the bill, because it is quite probable that, looking a year and a half ahead, as the officers of the War Department must do, they would not be able to foresee just the amount of every item that they might need. They might overestimate one item and underestimate another; and if they were compelled to stick to the itemized appropriation they might have to go short of one thing which they needed while they might have an abundance of money for another thing which they did not need. In my judgment, that would be bad policy.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. SHALLENBERGER. Mr. Chairman, I just want to elaborate a little, for the information of the committee, the point that the gentleman from Connecticut [Mr. TILSON] has made. This very matter was discussed with Gen. Lord, who is the financial director of the Army, who has charge of these funds; and, replying to the questions of the gentleman from Pennsylvania, the financial director of the Army said that when Congress makes an appropriation the first thing he does is to set aside to each one of these funds upon the books of his department the exact amount of money that has been assigned for each one of these items in this bill, and he does not permit that money to be diverted until that particular sum of money has been spent for the particular thing that it is listed for upon this statement made to the committee; so that it is impossible for the thing to occur which the gentleman suggests might be done.

Mr. MOORE of Pennsylvania and Mr. GREEN of Iowa rose.

The CHAIRMAN. To whom does the gentleman from Nebraska yield?

Mr. SHALLENBERGER. I yield first to the gentleman from Pennsylvania and then I will yield to the gentleman from Iowa.

Mr. MOORE of Pennsylvania. As a general proposition the gentleman does not approve of lump-sum appropriations, does he?

Mr. SHALLENBERGER. No, I do not, but I think in this particular case at this particular time this is the most economical way to handle this matter in the best interests of the Government, and in response to the criticism of the gentleman from Arkansas [Mr. Wingo] that no consideration was had as to the amount on hand in these different items permit me to say, on the contrary, that the hearings show that we asked that particular question of the War Department, and the exact amount on hand under each one of these items is stated, making a total of \$6,837,918.89. There were on hand for office supplies, books, and stationery \$2,986,655.46, which we are not appropriating for; for furniture \$82,770.80; for towels \$468,692.80; for toilet paper \$609,500, showing that the War Department did take into consideration and did credit upon appropriations the exact amount that they had on hand for each particular item. We make no appropriation for stoves, to

which one gentleman called attention, because they had sufficient stoves on hand.

Mr. STAFFORD. This particular service is under the charge of Gen. Goethals, is it not?

Mr. SHALLENBERGER. Goethals is the head of it.

Mr. STAFFORD. Gen. Goethals is the director of supplies?

Mr. SHALLENBERGER. He is director of purchases.

Mr. GREEN of Iowa. I hope the gentleman from Nebraska will not forget that he promised to yield to me.

Mr. SHALLENBERGER. I yield to the gentleman from Iowa.

Mr. GREEN of Iowa. In line with the objection made by the gentleman from Arkansas [Mr. Wingo] I want to call the attention of the gentleman to the fact that this paragraph provides in several places for the purchase of furniture for different posts and post agencies. Now, the Army has certainly got a great deal more furniture on hand than it knows what to do with.

Mr. SHALLENBERGER. Yes.

Mr. GREEN of Iowa. Notwithstanding that fact I am reliably informed that it is continuing to purchase furniture.

Mr. SHALLENBERGER. In this statement which I have here it shows that nothing is asked for under the item of furniture. Although the word "furniture" is carried in the bill, as it always has been carried, yet in his statement to the committee, showing what they expect to use the appropriation for, Gen. Lord presented no item for furniture, but on the contrary the statement shows that they have \$82,770.80 worth of furniture on hand.

Mr. GREEN of Iowa. Does not my friend see that the provisions in the bill are utterly misleading to the House if that is so?

Mr. SHALLENBERGER. No; not at all.

Mr. GREEN of Iowa. Why do you have anything in the bill for furniture if you do not intend to buy furniture? Why should these officers be given authority so that they can purchase this furniture if they do not need it, when they have got all that furniture on hand?

Mr. SHALLENBERGER. Can not the gentleman see that although they have this furniture on hand the occasion might arise in the next year where some piece of furniture might be needed which was essential to the Army of the United States?

Mr. GREEN of Iowa. There can be no occasion arise at these posts as specified here.

Mr. DENT. May I make this suggestion? How would the gentleman write that item in the bill?

Mr. GREEN of Iowa. If the gentleman will permit me to put it in when I have the time, and he arrives at the end of the bill, I will prepare something of that kind, but I imagine that he will not be ready to go back. This item could be covered and ought to be covered by the committee.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Arkansas.

The Clerk read as follows:

Amendment offered by Mr. Wingo: Strike out the words "stoves, ranges" wherever they appear in paragraph beginning on page 24, line 15, and ending on line 11, page 27.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

Mr. WINGO. Mr. Chairman, I move to strike out "\$100,000,000" on page 27, and insert in lieu thereof "\$50,000,000."

The Clerk read as follows:

Amendment offered by Mr. Wingo: Page 27, line 2, strike out "\$100,000,000" and insert "\$50,000,000."

Mr. WINGO. Mr. Chairman, there was a time when a Member of this House had the recognized right to inquire into supply bills when presented to him and he was asked to vote those supplies. But, Mr. Chairman, how the times have changed. If a Member of the House has the temerity to inquire into the necessity and to move to strike out conceded unnecessary items in the bill, he at once is charged with trying to defeat the bill and questioning the integrity of the department for which the appropriation is made.

I challenge any gentleman to stand up and call attention to any criticism I have made against the War Department since the war started. Not one word of criticism has fallen from my lips to-day. The War Department is like every other department; it wants ample funds, and they think it is up to them to make the highest estimates they can and for Congress to examine and pare them down, because that has been the custom.

Far be it from me to criticize the War Department. They have had a wonderful task. Some of their officers have made asses of themselves, but we should not hold the officers who have done good work responsible for the acts of some officers that have not acted properly. They have had a great problem.

But, gentlemen, the war is over and the time has come when, instead of having a billion dollars appropriated by Congress for the entire expense of the Government, we will have to appropriate two billions for interest charges, and the annual budget will be \$5,000,000,000. It is true that this appropriation language has been carried for years, and I stated twice that no particular criticism should be made of the committee by reason of that. The criticism goes to Congress, but we ought to stop it and now say you shall come in with a classification of the different items and provide the amount that shall be in each classification, so that Congress can pass upon each item.

As an illustration, the gentleman from Nebraska, a faithful and efficient Member of the House, in offering an explanation of "seeds and implements for raising forage" item, read the estimate for "forage, salt, vinegar," and so forth. It makes great confusion. We have a right to inquire, and I think, although I may submit myself to criticism and lecture, I am going to insist on knowing where the money is going to. I am going to insist on exercising my right to know how these appropriations that come out of the United States Treasury are to be used. I have no apology to offer to the gentleman from Alabama for doing it, and I am willing to compare my record with his. These are troublous times, and while I do not wish to indulge in criticism of the War Department, I think they should try to be specific and point out where these appropriations are to be used. In the discharge of my duty I would try to pare down in every possible place without destroying efficiency. The gentleman says I have not moved to cut down any appropriation. The gentleman's memory is short. I do not want to make reckless reductions in any way unless I think the amounts can be cut down intelligently.

But having investigated as best I could from the hearings and the supplies they have on hand, I think if we give them \$50,000,000 for the peace year of 1920, it will be all that is necessary for this, especially when we have other items here including millions more, and I hope the amendment will be adopted.

Mr. SHALLENBERGER. Mr. Chairman, I just want to oppose the amendment for a moment. I call the attention of the House to the fact that of the \$100,000,000 asked for in this item there are 24 items shown by the statement, and one of them is for \$49,000,000 for fuel that is to cook the food for the Army and warm the men; \$11,000,000 is for gasoline for the motor vehicles, the trucks, and automobiles, and all the operation of motor-driven vehicles, which are the principal motive power of the Army; \$21,000,000 is for forage to feed the animals; and \$11,000,000 for lighting the Army posts and camps—\$92,000,000 in all contained in these four items. I do not think the gentleman from Arkansas wants to leave the men with not enough coal, nor leave the horses with not enough forage, or to deny them light or gasoline. That is what we will do if the amendment is agreed to.

Mr. WINGO. That item for gasoline includes the \$250 a day for these officers who run around here in Washington in private cars.

Mr. SHALLENBERGER. It certainly does. There may be a few thousand dollars of gasoline wasted here.

Mr. TILSON. Let me call the attention of the gentleman to one item that I think would make two-thirds of the gentleman's \$50,000,000, and that is \$31,000,000 for fuel for transports.

Mr. SHALLENBERGER. Yes.

Mr. WINGO. How much did the committee find by investigation was necessary for fuel for Government transports?

Mr. SHALLENBERGER. They asked for \$31,000,000, and we allowed them the entire amount they asked, because, as members of the committee said, we did not think that we could look the American people in the face and refuse to appropriate all of the money they asked for to bring these boys home. [Applause.]

Mr. WINGO. The gentleman has read five items that cover a hundred and thirty million dollars. If it is a sin for me to offer to reduce it, was it not a sin for the committee to refuse the whole 24 items and cut them down to \$100,000,000?

Mr. SHALLENBERGER. We reduced the appropriation by \$18,000,000, and we thought that we were cutting it to the very bone when we did it. That is the reason I ask the House to vote down the amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas.

The question was taken, and the amendment was rejected.

Mr. MANN. Mr. Chairman, I move to amend, on page 25, line 3, by striking out the word "offices" and inserting in lieu thereof the word "officers."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 25, line 3, strike out the word "offices" and insert the word "officers."

Mr. DENT. Mr. Chairman, I accept the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MOORE of Pennsylvania. Mr. Chairman, I reserve the point of order on the words "office furniture," in line 6—

Mr. FOSTER. Oh, that is too late. The train has gone long ago.

Mr. TILSON. We have been debating the paragraph for the last 15 minutes.

Mr. FOSTER. We have been debating the paragraph on the merits, and I make the point of order that the gentleman can not do that now.

Mr. MOORE of Pennsylvania. We have just voted on the amendment offered by the gentleman from Illinois, and I am sure that I was recognized before the Clerk began to read.

The CHAIRMAN. Debate has been had on the merits of the paragraph.

Mr. MOORE of Pennsylvania. Does the Chair hold that it is too late to make the point or order?

The CHAIRMAN. Yes.

Mr. MOORE of Pennsylvania. Mr. Chairman, is it too late to move to strike out the last word? I move to strike out the last word.

Mr. DENT. I hope the gentleman will wait until we read the next paragraph.

Mr. MOORE of Pennsylvania. After paying my respects to the gentleman from Illinois [Mr. FOSTER], I wish to ask the gentleman from Alabama, who is in charge of the bill, whether we do not have now in the War Department sufficient office furniture to carry us along for another year? I ask this question, because I have been informed that the department is disposing of office furniture, and complaints have come to me that office furniture has been sold at such a price as to interfere with the trade. Why we should buy new office furniture under those circumstances I do not know. I want to say further to the gentleman from Alabama—

Mr. DENT. I can not answer the question as long as the gentleman talks.

Mr. MOORE of Pennsylvania. I will be very glad to hear the gentleman from Alabama in my time.

Mr. DENT. I understand the gentleman from Nebraska has already explained that we have put a provision in for the transfer of office furniture to the different branches of the service—how much of that, of course, we do not know. How could we know?

Mr. TILSON. There is nothing in the estimates at all?

Mr. DENT. Not that I know of.

Mr. MOORE of Pennsylvania. If there is nothing in the estimates, why put it in the bill?

Mr. DENT. It might be necessary and save money; that is the reason.

Mr. MOORE of Pennsylvania. Mr. Chairman, in view of the admission made by the chairman of the committee, or rather by the gentleman from Connecticut in his name, I wish to say if I had known in time that office furniture was not estimated for by the War Department and that the committee voluntarily put it in, I would have moved to strike it out. It illustrates just what the gentleman from Arkansas has been illustrating, that while the committee represents to the Committee of the Whole that it was fully informed upon the estimates of the War Department and knows just where this \$100,000,000 is going, it evidently went quite a little more than the War Department in the matter of office furniture, and the Committee of the Whole is left in the dark with regard to many of these appropriations. Now, I am not in favor of having lump-sum appropriations any longer. Prior to the war the Army bill carried no more than this one lump-sum appropriation carries, whereas this bill carries over a billion dollars, all in lump-sum appropriations. When the gentleman brought in his Army bill prior to the war asking for \$100,000,000 to keep the Army going for the year—

Mr. DENT. Oh, no; the gentleman voted for a \$12,000,000,000 bill.

Mr. MOORE of Pennsylvania. I said prior to the war.

Mr. DENT. Oh, prior to the war.

Mr. MOORE of Pennsylvania. Yes; prior to the war, when we were about to enter upon another era of peace we continue the war practices by appropriating in lump sums as much as \$100,000,000 and leave it to the discretion of the department to divert those funds as it sees fit. Of course, the department will not do it; it did not do it in the matter of aviation or in the matter of armor plate—

Mr. ANTHONY. Will the gentleman from Pennsylvania yield?

Mr. MOORE of Pennsylvania. I will.

Mr. ANTHONY. I usually agree with nearly everything the very brilliant and very able gentleman from Pennsylvania advances, but in this instance he is entirely wrong, in my opinion. I think it very necessary that that language, "office furniture," remain in the bill, for the reasons that have been advanced by gentlemen on both sides of the aisle. While there may be a surplussage of office furniture for the Army at large, there may be isolated posts at some places in the world where we will need office furniture very badly, and without that authorization we could not spend 5 cents for it.

Mr. MOORE of Pennsylvania. Does the gentleman agree with his colleague from Connecticut [Mr. TILSON] on the committee that the department made no estimate for office furniture?

Mr. ANTHONY. They made no item in their analysis of the estimate for office furniture, and yet the committee thought it wise to leave that in the bill as it has been year after year, because we know the necessity will call for the purchase of office furniture at some place or other.

Mr. MOORE of Pennsylvania. It may be better to sell this furniture in Washington and buy furniture down in Arizona, say. It is a waste of money and time to sell cheap and buy dear.

Mr. ANTHONY. Let me say further to the gentleman from Pennsylvania it is undoubtedly the safe way to legislate in regard to items on these appropriation bills, so far as possible, but if we carry that idea out on this appropriation bill we would have a bill that would take us six months to read here. Now, if the gentleman will analyze some of the information that has been furnished the committee, on which we base this bill, he will see the necessity for this. I want to point out two items. For instance, in this item of regular supplies I ran across \$12 worth of dragons' blood that they want to buy for some reason or other. We did not deem it wise to set forth that item in the bill. Another item is banana oil, \$5.22 worth. The committee did not take up space in the bill for that.

Mr. MOORE of Pennsylvania. The gentleman knows we would not expect items of that kind to be set out in a hundred-million-dollar lump-sum item.

Mr. ANTHONY. If we carry out to a logical conclusion some of the remarks made here to-night, we would.

Mr. MOORE of Pennsylvania. Some little things like that are made as an excuse for working out a \$100,000,000 lump-sum appropriation.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TRANSPORTATION OF THE ARMY AND ITS SUPPLIES.

For transportation of the Army and its supplies, including transportation of the troops when moving either by land or water, and of their baggage, including members of the Officers' Reserve Corps, enlisted men of the Enlisted Reserve Corps, and retired enlisted men when ordered to active duty, including the cost of packing and crating; for transportation overseas to the United States of the bodies of officers and enlisted men who died upon foreign soil in the present war; for transportation of recruits and recruiting parties; of applicants for enlistment between recruiting stations and recruiting depots; for travel allowance to officers and enlisted men on discharge; for payment of travel allowance as provided in section 126 of the act approved June 3, 1916, to enlisted men of the National Guard on their discharge from the service of the United States, and to members of the National Guard who have been mustered into the service of the United States, and discharged on account of physical disability; for payment of travel pay to officers of the National Guard on their discharge from the service of the United States, as prescribed in the act approved March 2, 1901; for travel allowance to persons on their discharge from the United States disciplinary barracks or from any place in which they have been held under a sentence of dishonorable discharge and confinement for more than six months, or from the Government Hospital for the Insane after transfer thereto from such barracks or place, to their homes (or elsewhere as they may elect), provided the cost in each case shall not be greater than to the place of last enlistment; of the necessary agents and other employees, including per diem allowances in lieu of subsistence not exceeding \$4 for those authorized to receive the per diem allowance; of clothing and equipment and other quartermaster stores from Army depots or places of purchase or delivery to the several posts and Army depots and from those depots to the troops in the field; of horse equipment; of ordnance and ordnance stores, and small arms from the foundries and armories to the arsenals, fortifications, frontier posts, and Army depots; for payment of wharfage, tolls, and ferriages; for transportation of funds of the Army; for the payment of Army transportation lawfully due such land-grant railroads as have not received aid in Government bonds (to be adjusted in accordance with the decisions of the Supreme Court in cases decided under such land-grant acts), but in no case shall more than 50 per cent of full amount of service be paid: *Provided*, That such compensation shall be computed upon the basis of the tariff or lower special rates for like transportation performed for the public at large and shall be accepted as in full for all demands for such service: *Provided further*, That in expending the money appropriated by this act a railroad company which has not received aid in bonds of the United States and which obtained a grant of public land to aid in the construction of its railroad on conditions that such railroad should be a post route and military road, subject to the use of the United States for postal, military, naval, and other Government services, and also subject to such regulations as Congress may impose restricting the

charge for such Government transportation, having claims against the United States for transportation of troops and munitions of war and military supplies and property over such aided railroads, shall be paid out of the moneys appropriated by the foregoing provisions only on the basis of such rate for the transportation of such troops and munitions of war and military supplies and property as the Secretary of War shall deem just and reasonable under the foregoing provision, such rate not to exceed 50 per cent of the compensation of such Government transportation as shall at that time be charged to and paid by private parties to any such company for like and similar transportation; and the amount so fixed to be paid shall be accepted as in full for all demands for such service: *And provided further*, That nothing in the preceding provisions shall be construed to prevent the accounting officers of the Government from making full payment to land-grant railroads for transportation of property or persons where the courts of the United States have held that such property or persons do not come within the scope of the deductions provided for in the land-grant acts; for the purchase and hire of draft and pack animals in such numbers as are actually required for the service, including reasonable provision for replacing unserviceable animals; for the purchase, hire, operation, maintenance, and repair of such harness, wagons, carts, drays, other vehicles, and motor-propelled and horse-drawn passenger-carrying vehicles as are required for the transportation of troops and supplies and for official, military, and garrison purposes; for drayage and cartage at the several depots; for the purchase and repair of ships, boats, and other vessels required for the transportation of troops and supplies and for official, military, and garrison purposes; for expenses of sailing public transports and other vessels on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific Oceans: *Provided further*, That \$225,000 of the appropriation hereby made shall be available for additional pay of employees on harbor boats, quartermaster service, in lieu of subsistence, \$449,000,000.

Mr. FLOOD. Mr. Chairman—

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. FLOOD. Mr. Chairman, I offer an amendment.

Mr. STAFFORD. The gentleman can not offer an amendment while the point of order is pending.

The CHAIRMAN. Does the gentleman from Wisconsin reserve the point of order?

Mr. STAFFORD. I do, Mr. Chairman. I assume that the language in this paragraph of many pages is substantially that which is covered in existing law?

Mr. DENT. That is true.

Mr. STAFFORD. May I inquire what is the necessity of providing authorization for the purchase of ships now that the war is at an end?

Mr. DENT. I do not think there is any necessity for it, and when we get to the item at the end—

Mr. TILSON. Before the chairman of the committee yields this item, let me read the explanation submitted with the estimates.

This item is included to provide funds for reimbursing the United States Shipping Board for vessels which it is contemplated the War Department will secure from them for the replacement of old vessels now in the Regular Army Transport Service, the vessels now in the service being old, and due to their age require constant and excessive repairs. The following table shows the vessels it is contemplated will be turned over by the Shipping Board.

It gives in detail the boats it is expected to turn over under this item.

Mr. STAFFORD. This is the largest item carried in the bill—\$449,000,000, nearly half a billion. Will the gentleman, before the reservation of the point of order is withdrawn, give some statement as to how they arrive at this enormous figure?

Mr. TILSON. Yes. Let me continue reading:

Trans-Atlantic service: Four transports, at \$2,812,500 each, \$11,250,000. This number does not include the *Great Northern* and *Northern Pacific*, which were purchased from War Department funds and turned over to the Shipping Board during the emergency. These two vessels, added to the four mentioned, will give six vessels in the trans-Atlantic service.

Mr. STAFFORD. Do I understand these vessels are now under the control of the Shipping Board?

Mr. TILSON. It is intended to provide funds for reimbursing the United States Shipping Board for vessels which it is contemplated the War Department will secure from them for the replacement of the old vessels now in the Regular Army Transport Service.

Let me finish reading:

Atlantic coastwise (Panama, Cuba, Porto Rico, St. Thomas, etc.):	
2 transports, at \$2,812,500	\$5,625,000
Trans-Pacific service (Philippines, Guam, Japan, etc.):	
4 transports, at \$2,812,500	11,250,000
1 collier, at \$2,537,500	2,537,500
Alaskan service:	
1 transport (4,000 tons), at \$2,812,500	1,300,000
Pacific coastwise (Panama Canal, etc.):	
1 transport (4,000 tons)	1,300,000
Total	33,262,500

Mr. CRAMTON. Mr. Chairman, if the gentleman will yield, is there any provision made for transportation, either of men or supplies, to or from the north coast of Russia? Or, since we have got our troops up there, are we to leave them there without reinforcements or supplies?

Mr. TILSON. Funds available under this item could be used for the transportation of troops home from any quarter of the globe.

Mr. STAFFORD. Mr. Chairman, the gentleman from Connecticut has given an explanation of only \$33,000,000 out of \$449,000,000.

Mr. MANN. It is now 10 o'clock, and I make the point of order that there is no quorum present. We had an understanding that we would run until 10 o'clock.

Mr. DENT. We had such an understanding, but I thought we might dispose of this item of transportation.

Mr. MANN. Oh, it will take some time to dispose of it.

Mr. DENT. Well, then, I move, Mr. Chairman, that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. FOSTER as Speaker pro tempore having assumed the chair, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15835) making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and had come to no resolution thereon.

FORTIFICATION APPROPRIATION BILL.

Mr. BYRNS of Tennessee, by direction of the Committee on Appropriations, reported the bill (H. R. 15979) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service for the fiscal year ending June 30, 1920, and for other purposes, which was read by title and, with the accompanying report (No. 1069), was ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. STAFFORD. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER pro tempore. The gentleman from Wisconsin reserves all points of order on the bill.

EXTENSION OF REMARKS.

Mr. BAER. Mr. Speaker, I ask unanimous consent to extend my remarks briefly on the Army appropriation bill.

The SPEAKER pro tempore. The gentleman from North Dakota asks unanimous consent to extend his remarks on the Army bill. Is there objection?

There was no objection.

Mr. JAMES. Mr. Speaker, I ask permission to extend my remarks by printing a letter from a soldier, an enlisted man.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD by printing a letter as indicated. Is there objection?

There was no objection.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my remarks on the Army bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

SEQUOIA NATIONAL PARK.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that I may have three days in which to file minority views from the Committee on the Public Lands on the bill (S. 2021) to change the name and enlarge the Sequoia National Park.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. CRAMTON] asks unanimous consent that he may have three days in which to file minority views on the Senate bill 2021. Is there objection?

Mr. GARRETT of Tennessee. That will not interfere with the consideration of the bill?

Mr. CRAMTON. No; I do not think it will.

Mr. MANN. That will come up next July.

EXTENSION OF REMARKS.

Mr. YOUNG of North Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks.

Mr. WALSH. On the Army bill?

Mr. YOUNG of North Dakota. Yes; on the Army bill.

The SPEAKER pro tempore. The gentleman from North Dakota asks unanimous consent to extend his remarks on the Army bill. Is there objection?

There was no objection.

HOOR OF MEETING TO-MORROW—11 O'CLOCK A. M.

Mr. DENT. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, do I understand that the gentleman from Alabama will im-

diately move to go into Committee of the Whole House on the state of the Union on the Army appropriation bill after the convening to-morrow?

Mr. DENT. That is the intention.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. DENT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 5 minutes p. m.) the House, under the order previously made, adjourned until to-morrow, Saturday, February 15, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of the Treasury, transmitting estimate of appropriation for the purchase of the Baltimore quarantine station (H. Doc. No. 1794) was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FRENCH, from the Committee on War Claims, to which was referred the bill of the House (H. R. 13636) for the relief of Kentuck Corbett, reported the same without amendment, accompanied by a report (No. 1068), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SCHALL: A bill (H. R. 15932) to donate one captured cannon or fieldpiece to the village of Annandale, Minn.; to the Committee on Military Affairs.

Also, a bill (H. R. 15933) to donate one captured cannon or fieldpiece to the village of Anoka, Minn.; to the Committee on Military Affairs.

Also, a bill (H. R. 15934) to donate one captured cannon or fieldpiece to the village of Lindstrom, Minn.; to the Committee on Military Affairs.

Also, a bill (H. R. 15935) to donate one captured machine gun to the village of Ogilvie, Minn.; to the Committee on Military Affairs.

By Mr. DENTON: A bill (H. R. 15936) to provide for the construction, maintenance, and improvement of a system of national interstate roads; to the Committee on Roads.

By Mr. CAMPBELL of Kansas: A bill (H. R. 15937) authorizing the Secretary of War to donate to the city of Fredonia, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LESHNER: A bill (H. R. 15938) to provide for the purchase of a site for a public building at Bloomsburg, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15939) authorizing the Secretary of War to donate to the borough of Mifflinville, county of Columbia, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

By Mr. BACHARACH: A bill (H. R. 15940) authorizing the Secretary of War to donate to the city of Bordentown, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15941) authorizing the Secretary of War to donate to the city of Egg Harbor, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BRODBECK: A bill (H. R. 15942) authorizing the acquisition of a site for a public building at Red Lion, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. CRAMTON: A bill (H. R. 15943) authorizing the Secretary of War to donate to the town of Owendale, Mich., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. DOOLITTLE: A bill (H. R. 15944) authorizing the Secretary of War to donate to the city of Council Grove, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota: A bill (H. R. 15945) to promote the administration of military justice by amending existing laws regulating trial by courts-martial, and for other purposes; to the Committee on Military Affairs.

By Mr. SCHALL: A bill (H. R. 15946) to provide for a modification of the time calendar now in general use in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. KELLY of Pennsylvania: A bill (H. R. 15947) authorizing the Secretary of War to donate to the borough of East Pittsburgh, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HAYDEN: A bill (H. R. 15948) to authorize mining on Indian reservations; to the Committee on Indian Affairs.

By Mr. MONTAGUE: A bill (H. R. 15949) authorizing the Secretary of War to donate to the city of Richmond, Va., a captured German cannon or field gun and carriage; to the Committee on Military Affairs.

By Mr. KITCHIN: A bill (H. R. 15950) granting the consent of Congress to the county of Halifax, State of North Carolina, to construct a bridge across the Roanoke River; to the Committee on Interstate and Foreign Commerce.

By Mr. LUFKIN: A bill (H. R. 15951) prohibiting the issuance of papers of declaration of intention to become citizens or final papers of citizenship to certain aliens who claimed exemption from military service in the present war; to the Committee on Immigration and Naturalization.

By Mr. SCHALL: A bill (H. R. 15952) to donate 8 captured cannon or fieldpieces to the city of Minneapolis, Minn.; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 15953) authorizing the Secretary of War to donate to the town of Thorntown, county of Boone, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SHERWOOD: A bill (H. R. 15954) to authorize the appointment of an American battle field commission; to the Committee on Military Affairs.

By Mr. LEE of Georgia: A bill (H. R. 15955) authorizing the donation of a German cannon to the city of Cartersville, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15956) authorizing the donation of a German cannon to the city of Buchanan, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15957) authorizing the donation of a German cannon to the city of Chatsworth, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15958) authorizing the donation of a German cannon to the city of Marietta, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15959) authorizing the donation of a German cannon to the city of Trenton, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15960) authorizing the donation of a German cannon to the city of Dallas, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15961) authorizing the donation of a German cannon to the city of La Fayette, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15962) authorizing the donation of a German cannon to the city of Summerville, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15963) authorizing the donation of a German cannon to the city of Rome, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15964) authorizing the donation of a German cannon to the city of Calhoun, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15965) authorizing the donation of a German cannon to the city of Dalton, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15966) authorizing the donation of a German cannon to the city of Ringgold, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15967) authorizing the donation of a German cannon to the city of Cedartown, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15968) authorizing the donation of a Civil War cannon to the city of Menlo, Ga.; to the Committee on Military Affairs.

By Mr. KREIDER: A bill (H. R. 15969) authorizing the Secretary of War to donate to the borough of Shippensburg, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15970) authorizing the Secretary of War to donate to the borough of Middletown, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15971) authorizing the Secretary of War to donate to the borough of Mechanicsburg, Pa., one German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15972) authorizing the Secretary of War to donate to the borough of Millersburg, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15973) authorizing the Secretary of War to donate to the city of Harrisburg, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15974) authorizing the Secretary of War to donate to the city of Carlisle, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15975) authorizing the Secretary of War to donate to the city of Lebanon, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15976) authorizing the Secretary of War to donate to the borough of Hummelstown, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SCHALL: A bill (H. R. 15977) to donate captured cannon to various Minnesota villages; to the Committee on Military Affairs.

By Mr. BYRNS of Tennessee: A bill (H. R. 15979) making appropriations for fortifications and other works of defense, for the armament thereof, and for procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1920, and for other other purposes; committed to the Committee of the Whole House on the state of the Union.

By Mr. GREENE of Massachusetts: Resolution (H. Res. 577) directing the Secretary of the Navy to furnish forthwith to the House of Representatives the originals or copies of all papers, documents, or correspondence on file in the Navy Department relating generally to the subject of an interallied radio conference and such other facts relative to the origin and purpose of such conference; to the Committee on Naval Affairs.

Also, joint resolution (H. J. Res. 427) directing the Secretary of the Navy to instruct the representatives of the United States to the interallied radio conference that they shall not commit the United States to any policy of Government ownership or operation of commercial radio stations; to the Committee on Naval Affairs.

By the SPEAKER: Memorial from the Legislature of the State of Ohio, urging Congress to appropriate money to investigate the cause, etc., of Spanish influenza; to the Committee on Interstate and Foreign Commerce.

Also, memorial from the Legislature of the State of California, relative to the plan recommended by the Hon. Franklin K. Lane, Secretary of the Interior, for the placing of returning United States soldiers upon farms; to the Committee on Appropriations.

Also, memorial from the Legislature of the State of California, relative to the constructing and fitting out of all ships and vessels used by Emergency Fleet Corporation or coming under their control; to the Committee on the Merchant Marine and Fisheries.

By Mr. DILLON: Memorial of the Legislature of the State of South Dakota, protesting against exorbitant express rates; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Memorial of the Legislature of the State of Wisconsin, favoring the establishment of a free, united, and independent Polish nation; to the Committee on Foreign Affairs.

By Mr. FOSS: Memorial of the Legislature of the State of Illinois, urging the payment of at least six months' salary to soldiers, sailors, and marines upon their discharge; to the Committee on Military Affairs.

By Mr. HAYES: Memorial of the Legislature of the State of California, favoring the acquisition of Lower California by the United States; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of California, relative to the employment of returned soldiers in the construction of ships for the merchant marine; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Legislature of the State of California, favoring an appropriation for reclamation in order to settle returned soldiers on the public domain; to the Committee on Appropriations.

By Mr. KETTNER: Memorial of the Legislature of the State of California, favoring the employment of returned soldiers in the construction of ships by the Emergency Fleet Corporation; to the Committee on the Merchant Marine and Fisheries.

By Mr. RANDALL: Memorial of the Legislature of the State of California, indorsing the land reclamation and settlement project of the Secretary of the Interior for discharged soldiers; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of California, urging that all shipbuilding of the Emergency Fleet Corporation be contracted in the United States, and that contracts already made in foreign countries be canceled; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII,

Mr. LUNN introduced a bill (H. R. 15978) granting an increase of pension to John W. Bennett, which was referred to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BESHLIN: Petition of Grove City Commercial Club, Grove City, Pa., favoring Government control and operation of utilities until Congress shall have studied the subject and determined upon a safe procedure for the return of wire systems to their owners; to the Committee on Interstate and Foreign Commerce.

Also, petition of Ridgway Board of Trade, Pa., not favoring Government ownership of public utilities; to the Committee on Interstate and Foreign Commerce.

By Mr. CAREW: Petition of representatives of the Brotherhood of Railway Clerks, employed on New York Central, Delaware & Hudson, and Rutland Railroads, favoring the extension of Government control of railroads for further period of five years; to the Committee on Interstate and Foreign Commerce.

By Mr. CLASSON: Petition of citizens of Appleton and Kankana, Wis., in favor of Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. DOOLING: Petition of New York Produce Exchange, urging President of United States to discontinue the practice of price fixing as now applied to hogs, grain, and other food-stuffs, to the end that prices may return to their normal bases, controlled only by supply and demand; to the Committee on Agriculture.

By Mr. ELSTON: Memorial of E. H. Liscune Camp, No. 7, United Spanish War Veterans, City Hall, Oakland, Cal., urging passage of legislation prohibiting the display of the red flag and other unpatriotic emblems; to the Committee on Military Affairs.

By Mr. ESCH: Petition of the Wholesale Coal Trade Association of New York, asking that all vessels not required for movement of troops, munitions, and present food supplies be forthwith returned to private ownership and control; to the Committee on Interstate and Foreign Commerce.

By Mr. FOSS: Petition of city council of the city of Chicago, concerning compensation for honorably discharged soldiers and sailors; to the Committee on Military Affairs.

By Mr. GALLAGHER: Petition of city council of city of Chicago, urging Congress to make provision whereby each person who was a member of the armed forces of the United States of America in the war with Germany shall be given six months' pay from and after the date of honorable discharge; to the Committee on Military Affairs.

By Mr. GALLIVAN: Petition of Lithuanian residents of city of Worcester and Commonwealth of Massachusetts, urging Government of the United States of America to curb imperialistic ambition of the Poles in respect to Lithuania and prevent and save the people of Lithuania from a foreign yoke; to the Committee on Foreign Affairs.

Also, petition of Jackson Association of Commerce for Jackson and Madison Counties, Tenn., urging Congress to pass laws that will force an equalization of freight rates between the interior and river points; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM of Illinois: Petition of Frank F. Lange and divers other employees of the Rock Island Arsenal, at Rock Island, Ill., that all equipment used in the Army, Navy, merchant marine, Postal Service, and all other equipment used by the Government be manufactured in the Government shops to their full capacity; to the Committee on Military Affairs.

By Mr. HAYES: Petition of citizens of San Luis Obispo, Cal., urging the adoption of bill H. R. 10550, authorizing the United States Government to operate railroads, with all lands, buildings, and equipment that belong to such railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. KRAUS: Petition of sundry citizens of Miami County, Ind., in favor of Government control of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. LINTHICUM: Petition of Hebrew Immigrants' Aid Society, of Baltimore, Md., protesting against the passage of the Burnett immigration bill, as this bill is absolutely autocratic and un-American; to the Committee on Immigration and Naturalization.

Also, petition of Parent-Teacher Association of the Mount Rainier and Brentwood public schools, indorsing Senate bill

4987, for the creation of a department of education; to the Committee on Education.

Also, petition of S. S. Field, city solicitor, Baltimore, Md., relating to equitable distribution of certain war material suitable for road-making purposes among the highway departments of the several States; to the Committee on Roads.

Also, petition of United States Employment Service, Department of Labor, Baltimore, Md., urging passage of bill for appropriation for employment service; to the Committee on Appropriations.

Also, petition of the Board of Education of Dorchester County, Md., heartily indorsing Senate bill 4987, for the creation of a department of education; to the Committee on Education.

By Mr. LONERGAN: Petition of Russell Council, No. 65, Knights of Columbus, New Haven, Conn., and Bernardo Council, No. 1350, Knights of Columbus, Shelton, Conn., relating to self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. OSBORNE: Petition of Venice of American Chamber of Commerce, Venice, Cal., favoring exempting of outdoor amusements from the forms of taxation prescribed in the current revenue law; to the Committee on Ways and Means.

By Mr. PAIGE: Petition of 600 citizens of Fitchburg, Mass., in favor of self-determination of their own government by the people of Ireland, as submitted by James F. Pyne, grand knight of Fitchburg council, Knights of Columbus; to the Committee on Foreign Affairs.

By Mr. POLK: Petition of Diamond State Grange No. 2, Patrons of Husbandry of Stanton, Del., favoring repeal of daylight saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petition of Illinois State Federation, urging Gov. Stephens, of California, to procure for Thomas Mooney a new trial; to the Committee on the Judiciary.

Also, petition of Farmers' National Council, urging serious consideration of the report on Senate bill 2812; to the Committee on Public Lands.

Also, petition of Engineers and Architects Association of Southern California, urging appropriation for reclamation work; to the Committee on Appropriations.

By Mr. ROMJUE: Petition of Rotary Club, of Kirksville, Mo., recommending changing the name of the Panama Canal to Roosevelt Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHALL: Petition of Minnesota State vegetable growers, protesting against setting the clock ahead; to the Committee on Interstate and Foreign Commerce.

By Mr. VARE: Petition of Philadelphia Chamber of Commerce, relative to Government control, operation, and ownership of public utilities; to the Committee on Interstate and Foreign Commerce.

SENATE.

SATURDAY, February 15, 1919.

(Legislative day of Thursday, February 13, 1919.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll and the following Senators answered to their names:

Calder	Johnson, S. Dak.	New	Smith, S. C.
Chamberlain	Kellogg	Penrose	Smoot
Colt	Kenyon	Pittman	Swanson
Cummins	Kirby	Pollock	Thomas
France	Knox	Ransdell	Wadsworth
Gay	Lenroot	Robinson	Watson
Hale	Lodge	Saulsbury	Weeks
Hardwick	McKellar	Sheppard	
Johnson, Cal.	Moses	Sherman	

Mr. MCKELLAR. I wish to state that my colleague, the senior Senator from Tennessee [Mr. SHIELDS], is absent on account of illness.

Mr. SWANSON. I desire to announce that my colleague [Mr. MARTIN of Virginia] is detained from the Senate on account of illness. I ask that this announcement may stand for the day.

Mr. KIRBY. I desire to announce the absence in attendance upon committee of the Senator from North Carolina [Mr. OVERMAN], the Senator from Delaware [Mr. WOLCOTT], the Senator from Minnesota [Mr. NELSON], and the Senator from South Dakota [Mr. STERLING].

Mr. SAULSBURY. I wish to state that the senior Senator from Maryland [Mr. SMITH] is still confined at his home by ill-

ness, but is very greatly improved. I wish also to announce that the senior Senator from Mississippi [Mr. WILLIAMS] is detained by illness.

Mr. RANDELL. I wish to state that the senior Senator from Florida [Mr. FLETCHER] is detained on official business. He will be in the Senate in a few minutes.

Mr. THOMAS. I have been informed that the junior Senator from Alabama [Mr. UNDERWOOD] is seriously ill and therefore unable to attend the session.

Mr. PITTMAN. I have been requested to announce that the following Senators are absent engaged in the Committee on Indian Affairs: The Senator from Montana [Mr. WALSH], the Senator from Idaho [Mr. NUGENT], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Kansas [Mr. CURTIS], and the Senator from Maine [Mr. FERNALD].

The VICE PRESIDENT. Thirty-four Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of the absentees.

The Secretary called the names of the absent Senators, and Mr. KING, Mr. McCUMBER, Mr. NUGENT, Mr. POMERENE, Mr. SPENCER, Mr. THOMPSON, Mr. VARDAMAN, and Mr. WALSH answered to their names when called.

Mr. CURTIS, Mr. LA FOLLETTE, Mr. JONES of Washington, Mr. FERNALD, Mr. BRANDEGEE, Mr. McNARY, Mr. DILLINGHAM, Mr. SUTHERLAND, Mr. BECKHAM, Mr. SIMMONS, Mr. PAGE, Mr. CULBERSON, Mr. HENDERSON, and Mr. REED entered the Chamber and answered to their names.

Mr. SUTHERLAND. I wish to announce that the Senator from West Virginia [Mr. GOFF] is absent on account of illness.

Mr. KING. I wish to announce that the Senator from Nebraska [Mr. HITCHCOCK] is detained in the Committee on Banking and Currency.

Mr. SHEPPARD. I desire to announce that the Senator from Arizona [Mr. ASHURST] is detained on official business.

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 15706) granting pensions and increase of pensions to certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 8625. An act to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay wagon-road grant, to provide for the disposition of said lands, and for other purposes; and

H. R. 12863. An act to provide revenue, and for other purposes.

LEAGUE OF NATIONS (S. DOC. NO. 389).

Mr. LODGE. Mr. President, I wish to make a request out of order. It is that the terms of the league of nations, printed in all the newspapers, may be printed in the Record and also as a Senate document for convenience and use.

Mr. PITTMAN. May I ask the Senator if he would object to including in his request that the speech of the President delivered at the time of the presentation of the terms of the league be also published along with the document he has referred to, so that the two may be read together?

Mr. LODGE. I have no objection to its being printed, of course.

Mr. PITTMAN. I ask that the President's address be so included.

Mr. ROBINSON. I suggest that the Senator from Nevada submit the request in conjunction with the request of the Senator from Massachusetts.

Mr. LODGE. I have no objection at all to including it in my request.

Mr. PITTMAN. That is the way I intended my suggestion, and I understand the Senator from Massachusetts has so modified his request.

The VICE PRESIDENT. Without objection, it is so ordered.